MEMORIAL

ON THE

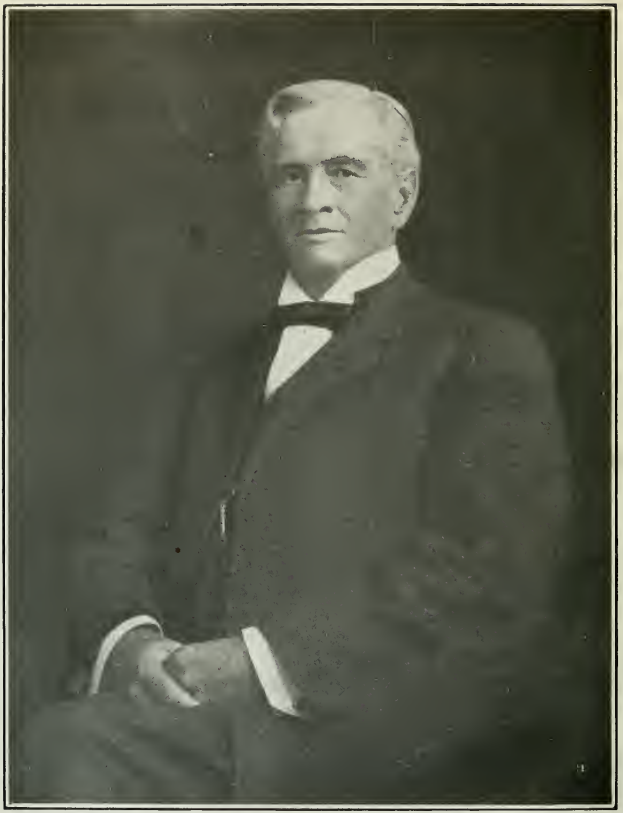
LIFE AND CHARACTER

OF

HON. BENSON WOOD

F896.3
W873w

ILLINOIS STATE HISTORICAL LIBRARY
OLD STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706



HON. BENSON WOOD.

MEMORIAL

TO THE

LIFE AND CHARACTER

OF

HON. BENSON WOOD

BY

MRS. JENNIE JEWETT WOOD

Assisted by

HON. E. CALLAHAN

1916
THE ARGUS PRINTING HOUSE
Robinson, Illinois

F94.3
W87w

CONTENTS

In Memory of Hon. Benson Wood 5
The Soldier 9
Address at Dedication of Monument at Elmwood 18
Address at Effingham 23
Address at Greenfield (Summary) 29
Address at National Encampment 31
The Lawyer 41
Address Before State Bar Association 43
Dedication of Supreme Court Building 63
The Law School of Long Ago 79
The Citizen 87
Public School Celebration Address, Farina, Ill. 91
Address to Old Settlers of Stephenson County 103
Resolutions and Memorials 119

ILLUSTRATIONS

Hon. Benson Wood ..... Frontispiece
Peleg Wood and Esther Fox Wood ..... Opposite Page 5
Hon. and Mrs. Benson Wood ..... " " 40
Virgil Wood ..... " " 59
Hon. and Mrs. Benson Wood ..... " " 89
Home of Mr. and Mrs. Wood ..... " " 89

133907

IN MEMORY OF HON. BENSON WOOD

The life of Hon. Benson Wood was an open book; a record of conscientious devotion to duty and righteous living; a record of faithful, intelligent and honorable service in every field in which he was called to labor. A book without a stain or blot. To those who knew him personally, and to those who shall read the record of his life, an example and an inspiration. As a boy he was lovingly obedient to his parents and faithful in whatever tasks were assigned to him. As a student he sought eagerly to know whatever might be learned in the schools that he attended. As a teacher he was diligent and taught with a conscientious sense of the great responsibility of those who undertake to direct the steps of young men and women starting on the journey of life. As a patriotic citizen he responded promptly to the call of his endangered country and as a soldier, whether in camp, on the toilsome march or in the white heat of battle, every service required was rendered; every duty performed. As a lawyer he was learned, honest and honorable. In his lifelong practice he conformed to the highest standards of the profession and attained an eminence that makes his name illustrious. As a citizen he was public spirited and progressive. He walked the ways of private and public life and business blamelessly. His home life was ideally bright and happy. He lived, and will be remembered as a perfect type of a Christian gentleman.

Benson Wood was born at Bridgewater in the State of Pennsylvania, on the 31st day of December, A. D. 1839. He was the youngest son of Peleg Wood and Esther Fox

Wood. His father was a native of Susquehanna County, Pennsylvania, but was a descendant of old Connecticut stock. His mother was born in Connecticut and belonged to a family noted for intelligence and religious zeal. Both father and mother were zealous members of the Methodist Episcopal Church and conformed to the rules of the church relating to the instructions and training of their children. Benson Wood was born on a farm and his early life was spent on the farm, and in the ordinary employments of the sons of farmers. He attended the district schools of the locality. At the age of seventeen having mastered all the branches taught in the county school he became himself a teacher in the schools near his home. As a teacher he was eminently successful and his services were eagerly sought in the neighboring schools at an advanced salary. Not satisfied to go through life as a country schoolmaster he enrolled as a student in the Wyoming Seminary then a distinguished co-educational school at Kingston, Pennsylvania, and graduated. His brother, Virgil, was a student at the same time. They rented rooms and boarded themselves. A fellow student in the common schools and at the Academy was Miss Jennie A. Jewett. Out of their association in school work there grew an attachment which later became a love story that lasted for life. Benson's studious habits and manly ways made him a favorite with the principal and professors of the Seminary. It was by their favors that he was employed as Principal of Franklin Grove Academy in Lee County, Illinois. He was converted and joined the Methodist Episcopal Church while at the Seminary. The religious influence and teaching of his home life had much to do in the formation of his character as a man. The trend of his thought was religious and when he joined the church he assumed the obligations and duty of a christian life and faithfully kept

PELEG WOOD.

ESTHER FOX WOOD.

them. A poem from which he often quoted is found in his scrap book dated in 1855.

THOUGHTS OF HEAVEN

No sickness there
No weary wasting of the frame away
No fearful shrinking from the midnight air
No dread of summers bright and fervid ray.
No hidden grief
No wild and cheerless vision of despair
No vain petition for a swift relief
No tearful eye, no broken hearts are there.

Care has no home
Within that realm of ceaseless praise and song
Its tossing billows break and melt in foam
Far from the mansions of the spirit throng.
The storm's black wing
Is never spread athwart celestial skies
Its wailings blend not with the voice of spring
As some too tender floweret fades and dies.

No night distils
Its chilling dews upon the tender frame
No morn is needed there; the light which fills
The land of glory from its maker came.
No parted friends
O'er mournful recollections have to weep
No bed of death enduring love attends
To watch the coming of a pulseless sleep.

No withered flower
Or blasted bud celestial gardens know
No scorching blast or fierce descending shower
Scatters destruction like a ruthless foe.
No battle word
Startles the sacred hosts with fear and dread
The song of Peace Creation's morning heard
Is sung wherever angel footsteps tread.

Let us depart
If home like this awaits the weary soul
Look up thou stricken one; thy wounded heart
Shall bleed no more at sorrow's stern control.
With faith our guide
White robed and innocent to tread the way
Why fear to plunge in Jordan's rolling tide
And find the haven of Eternal Day.

This beautiful selection was found by Mrs. Wood, among the papers of her husband, copied in his own hand

ILLINOIS STATE HISTORICAL LIBRARY
OLD STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

writing, which she will always prize as it surely was a favorite of Mr. Wood.

I cannot say, and I will not say
That he is dead—he is just away!
With a cheery smile and a move of the hand,
He was wandering into an unknown land
And left us dreaming how very fair
It needs must be since he lingered there
And you, O you who the wildest yearn
For the old time step and the glad return
Think of him faring on as a dear
In the love of there, as the love of here.
Think of him still, as the same, I say
He is not dead he is just away.

He continued to be principal of the Franklin Grove Academy for two years, when his career as a teacher was rudely terminated by his enlistment in the army then being raisel to suppress the rebellion in the Southern States. As Principal of the Academy he was popular and successful. He placed the school on a high educational plane. He held himself strictly to the high standard of personal cleanliness and devotion to duty that, as a boy, he had accepted from his devoted father and mother.

In the first year of his residence at Franklin Grove he had been made Superintendent of the Methodist Sunday School and held the place until he entered the army. At the end of his first year the Sunday School gave him a large bible. When he enlisted in the army they gave him a small bible which with his school bible he carried through the term of his military service. These three bibles were during his life time, and still are household treasures, prized beyond value.

CAPT. BENSON WOOD

THE SOLDIER

On the 29th day of August, A. D. 1861 Benson Wood enlisted in Company C of the 34th Regiment of Illinois Volunteer Infantry. The company was raised largely by him in the place where he had been teaching for two years and included many young men who had been his pupils. He was commissioned First Lieutenant. On the 6th day of October, 1862, he was commissioned Captain to date from May, 1862. At the battle of Shiloh, April 7, 1862, he was acting Adjutant of the Regiment. His horse was shot under him but he escaped unhurt. It was for brave and efficient service in this battle that he was promoted from Lieutenant to Captain. He was engaged at the seige of Corinth in May, 1862, and in the battle of Stone River in December of the same year. He was with his regiment in the long march and in all the skirmishes in which it participated. The hardship and exposure of his army life and service undermined his health and on account of disability, supposed to be permanent, he resigned in January A. D. 1863.

His health was so impaired that serious doubt was entertained as to whether he would ever recover. He sought rest and recuperation at the home of a sister in Wisconsin where he slowly regained strength and health. Having selected the law as his life work he entered as a student in the Law Department of the University of Chicago from which he graduated on the 30th day of June A. D. 1864 with the degree of Bachelor of Law.

His interest in the army never ceased. The ties of comradeship with soldiers never weakened. His popular-

ity with the ex-soldier was evidenced in many ways. He served about twenty years as Commander of Yates Post No. 88 and was commander at the time of his death. In 1901 he was, on the first ballot, elected Department Commander and served with eminent satisfaction to his comrades. One of his most highly valued posessions is the diamond badge presented to him on his retirement from that office. He was faithful and constant in his attendance on the National Encampment. He attended the dedication of many monuments erected to the memory of soldiers and was always a favorite speaker. Very few of his addresses on these occasions have been preserved. A fragment is all we have of his address at Greenville, Illinois, September 19, A. D. 1908. He said: "This monument commemorates the lives of men who loved their country. The stone may crumble, but the influence will ever remain. Some boy and some girl born in this county will become the better man and the better woman because of the influence of this monument. The chief cause for which these men fought was for government by law, and the present generation must contend for the same thing."

June 3, 1903, a memorial hall to the memory of soldiers was dedicated at Rockford, Illinois. The dedicatory address was made by the Department Commander of the Grand Army of the Republic, Hon. Benson Wood, which follows:

Fellow Citizens:

Let me address the few remarks I am to make to those of this audience—the larger portion whose knowledge of the great war comes from history and tradition rather than those who might speak from personal experience.

The men, to commemorate whose memories this magnificent building is erected, were once soldiers. Doubt-

less they had the feelings, ambitions and aspirations common to soldiers of all times, and all countries. They had a sovereign to whom they bore their faith and allegiance. But they recognized him not in the person of president, king, emperor, czar or kaiser. They were soldiers of a republic. Their sovereign was the people. Their government was by the people, of which they were a part. The call of arms, though voiced by the chief magistrate, was their own. They responded to the call they themselves did make. They were volunteer soldiers.

YOUTH OF THE ARMY

The great army in which they served had enrolled in its ranks, during that war, twenty-five hundred thousand men. They were young, indeed but boys. Their average age at enlistment was slightly under 23 years. They were officered by young men like themselves. The oldest man among the leaders—the loved chief of the Army of the Cumberland—at the outbreak of the rebellion, had not attained the age of 45. He, who became the silent commander of all the armies in the field, was less than forty when the first gun was fired at Sumter. There were generals of army corps and of armies under the age of thirty-five, and of divisions who had not reached thirty. Brigade commanders were not infrequent at twenty-four and indeed under that age. There were colonels of regiments at twenty-one and captains of companies at nineteen.

Yes, leaders and men were young. It was the fight of boys, for a government they loved.

BOYS FROM THE COUNTRY

The great leaders in that war were country born and reared like themselves. Grant came from the little village. For a time he quit the regular army; he mixed with country people, and worked for a living with his hands,

as they did. I doubt not a most valuable part of his education was acquired while hauling wood from the farm to the city of St. Louis, or selling leather to country people at Galena, and buying of them hides and tallow. He was then learning the thought and temper and determination of the masses, and this knowledge enabled him to comprehend what was involved in the great struggle, and to accurately judge its extent and duration, while born and educated statesmen were anticipating the end, in 90 days, under the terms of dishonorable compromise. Had he remained in the regular army, probably his ambition, at the beginning, that he might command a regiment at its close, would have been realized, but it might not have been his honor to have received the surrender of the enemies of the republic at Appomattox.

Thomas came from the "countriest" of all country regions, southeastern Virginia. He would have been a great soldier had he been city born and bred. The soldierly instinct was in him. But he would have never so well understood the Army of the Cumberland, nor would that army so well have understood its general. It would never have called him "Pap Thomas." And perhaps it would not have been his lot to have gathered about him at the rock of Chickamauga the boys of that army, and passed with them into imperishable history.

LINCOLN'S SCHOOL

It was the providence of God that the barrens of Kentucky, the forests of Indiana and the prairies of Illinois were the scenes of Lincoln's youth and early manhood. There he learned the thought and mode of reasoning by which common minds approach great questions.

There he learned how far the plain people of the land could be depended upon in great emergencies. He never undertook to formulate or lead public opinion. He

kept abreast with, and gave intelligent direction to the best thought of the masses—the common people whence he sprang. Had he been reared in luxury, or highly educated in the books, and in the schools, he would have been a great man—a politician, perchance, as astute and perhaps as crafty as a Van Buren—a statesman as profound and erudite, and may be as cold as an Adams. But I am thinking that it would not have been laid upon him to pen the words that made a race free and another than him would have invoked "the considerate judgment of mankind and the gracious favor of Almighty God" upon an immortal proclamation of freedom.

THE GOVERNMENT'S TRAINING

Those soldiers of the early '60s had no previous military training, and little of military expectation and ambition. If the truth be told, it must be said, they started out quite green and awkward country boys. They did not long so remain. The government which they served proved to be a great educator. It taught hands, accustomed only to the homely instruments of husbandry, to become expert in the use of musket and saber. It soon changed the halting gait of the plow boy into the firm tread of the trained man of war. It converted the awkward squads of 1861 into veterans of such grace and bearing that early in 1862 Hancock, the superb soldier of that century, was addressing them, not as men, but as gentlemen.

And then that government, that had before seemed so far away, drew very nigh to its subjects. There was no intermediary of states. It spoke directly to them, and in terms of authority. Its language was "We, the people."

It created its own system of currency. It sent out its own tax-gatherers. It originated a banking system, na-

tional in its character—more perfect than any devised before or since. It set in motion the wheels of idle industry. It built railroads. It taught the people what they had not before learned—the science of rapid railroad construction. It organized, equipped and put in the field, armies, the mightiest known of modern times, almost in a day. It bridged rivers, constructed and launched ships of war almost as by magic. It became the greatest employer of labor ever known in our history. In a few short months it seemed every able hand in the country was employed in fighting or toiling for the government.

POWERFUL FOR GOOD OR EVIL

After the surrender at Appomattox in 1865, great problems were before the people. An army of a million and a half of men was in the field, and not a hostile flag or gun or soldier to oppose it. What men they were! The weak, the sickly, and the timid had been weeded out of the ranks. Those that remained had been perfected in drill and discipline; they were inured to exposure and hardship; the hot blood of youth coursed swiftly through their veins; their average age was less than 28 years; they were men with muscles like iron, and nerves like steel. In their hands were the most approved weapons known to warfare at that time.

What was to be done with such an army? We can imagine what it might have done. Demands might have been made upon the government—of homes in the public lands, saved to the nation by their service and valor—of back pay and bounty, well earned and promised—of law creating adequate pensions, and so written that no unfriendly secretary of the interior, or commissioner of pensions, could ever reduce or take them away. And compliance with such demands might have been insisted upon

before the muster out, the break of ranks, or the laying down or arms.

If such demand had been made, was there any power in this country that could successfully have resisted them? Is it not true that the government was then absolutely helpless before the power which itself had created—the army and navy?

WHAT BECAME OF IT

And then it was a question which disturbed many good and elderly men, as to how those boys who had gone out in 1861 were to return. For four years they had been deprived of the influence of home; of the refining society of women—of wife, mother, sister, and many of them of others not sisters, very dear to them in the "days gone by" and dearer than ever in the days of the present. Their business, during those long years, was the destruction of property and human life. That is what war means.

Let us now consider what they did. There came a simple order of muster out. What became of that army? In a few short weeks, its soldiers had disappeared—not gone, but swallowed up in the peaceful avocations of civil life; in the forefront of great enterprises; actors in the development of the resources of a great country. The uniform of men of war had been laid aside; the duties of good citizenship had been resumed. Only here and there, a soldier's garment still worn, or a maimed veteran bearing on his person the honorable scars of war and memories of the fallen, were left to remind this people of that magnificent army, beneath whose tread the republic had almost trembled.

It was a great manifestation of the power of government to be able so speedily to convert its citizens into such soldiers. It was a greater exhibition of power when

the government so quickly, so quietly, resolved its soldiery into the peaceable citizenship whence it came.

FEARS OF "CROAKERS

Occasionally one hears some ill-grained, and perhaps dyspeptic pessimist express fears of the military power of the United States. What is our army? Made up of plain people like us all. By whom, and how, was it created? By the government, and through the means of voluntary enlistment. That is the government. Mr. Lincoln said it was "of the people". And think you that a people's government has disposition or power to use, or permit an army of the people, to destroy liberty? You see going out and in among you daily, men now old, but once a part of the army. Was liberty ever in danger from them? Why, four years they fought that every human being in the land should enjoy the same freedom with themselves. They risked life for the perpetuity of the government, and for the supremacy of law and order. And the boys that fought in Cuba, and in China, and in the Philippines and who are there today, are but the likes of them—only younger in years. No man, unless an enemy to the republic, or to law and order, has ever occasion to fear the military or naval power of the United States.

STAND UP FOR THE ARMY

Young man, my appeal is to you. Stand up for the army. Defend it on all occasions against those who would traduce it. It will never be more oppressive than the government that created it.

Stand up for your government. It will never go farther wrong than do the people for whom it was organized, and by whom it is to be preserved. If the temptation ever comes to you to say a word, or lift a hand against it, or its constituted authorities, remember that it were a thousand times better for you, that your tongue should forever cleave to the roof of your mouth; that your arm

should fall helplessly paralyzed at your side, before that word could be uttered, or that deed performed.

Strive by every effort in your power to attain a better, higher and more intelligent citizenship. By so doing, you will serve your country as honorably as ever did soldier on field of battle, and you will prove worthy subjects of a great government, that has cost so much of blood and treasure to create, and to perpetuate.

HISTORIC SHILOH

He was for six years a member of the commission to control and dedicate monuments and represented Governor Yates at the dedication of Illinois monuments on the battle field of Shiloh May 17, A. D. 1904. His address has not been preserved. A contemporary mentioned the event as follows:

> The North and the South again met on the battlefield of Shiloh May 17 and 18, 1904; not in hostile array as on the memorable days of '62, but with fraternal greetings as hand touched hand across the bridged chasm, both sides reverently participating in the dedicatory exercises of the Illinois Monument, which event brought the people together on this occasion.
>
> The exercises were short, taking place Tuesday afternoon in the grove near the imposing Illinois monument, which stands near the Shiloh church, from which the Park takes its name. Gov. Yates was not present but was represented by Capt. Benson Wood. Following is the order of exercises, presided over by Col. J. B. Nulton, of Carrolton:
>
> Music by Greenfield band.
>
> Prayer by Rev. Duncan C. Milner.
>
> Secretary's Report by Maj. Geo. Mason, Chicago.
>
> Presentation of Monuments to the Governor by Capt. Gustav A. Busse, President of the State Commission.
>
> Acceptance and transfer to the National Government by Capt. Wood.
>
> Acceptance on behalf of the National Government by Col. Cornelius Cadle.
>
> Address by Gen. Basil W. Duke of Louisville, one of the Shiloh Park Commissioners.
>
> Followed by a Short Address by Col. Henshaw.
>
> Capt. Wood in his address mentioned the fact that he was at Shiloh forty-two years ago under orders from the executive of his state, Gov. Richard Yates, and on this occasion was again under commission of the state executive, Gov. Richard Yates, the son of the illustrious war Governor.

He was one of the speakers at the dedication of Illinois monuments on the battlefield of Chickamauga, but his address has not been preserved. His presence and the fact that he was prominent as one of the men selected to speak on so great an occasion is conclusive evidence of his patriotic devotion to duty and of the exalted position he occupied among his comrades of the Grand Army of the Republic.

On the 24th day of April A. D. 1904 a monument to the memory of the widows of soldiers at Elmwood, Illinois, was publicly dedicated. Mrs. Esther Elmina Springer generously gave the money to erect the monument. Mrs. Loraine J. Pitkin as Department President of the Women's Relief Corps is entitled to great credit for her untiring and intelligent work in making the erection and dedication of the monument a great success. The dedicatory address by Commander Wood follows:

ADDRESS AT DEDICATION OF MONUMENT

ELMWOOD, ILLINOIS, APRIL 24, 1904

President of the Woman's Relief Corps, Comrades and Fellow Citizens:

The day following one of the great battles of the Civil War, two officers were heard in subdued but earnest conversation. One had left at home a young wife; the other an aged mother. The company to which they belonged had lost more than one third of its numbers in killed and wounded during the recent action. The dead of two days' carnage lay unburied upon the field about them. A cold April rain was heavily falling, and they were without tents, overcoats or blankets. At the opening of the fight, their command was thirty miles away. They had covered this distance, leaving baggage, and

keeping step to the thunder of cannon; had hurried to the relief of a sister army beset by superior numbers of the enemy. After a long and weary day, and a dark and rainy night and heavy march, they had reached the field of action on the morning of the second day, and soon thereafter went into strong battle. Their lives had been mercifully preserved through dangers many and unseen.

The subject of the discourse of these men was not of the perils through which they had passed, nor the exposure to which they were then subjected, nor indeed, the discomforts and privations they were then enduring. They were speaking, not of themselves, but of some who were suffering more than they from the effects of war. Not of those who had participated in the recent battle, but of others far away, who were passing through a more dreaded experience. Not of the heroes who should receive the thanks of Congress or Legislature, or whose names should be published in General Orders, but of those, in the distant Northland who were awaiting in anxiety and suspense, news from the battle field—the soldier's wife and widow; his mother and sister. It is of them that I would for a moment speak in this presence.

If the men who fought were the heroes, they were the heroines of the great war. Upon them were laid many of its heaviest burdens; in their hearts was borne very much of its sorest grief. They did not have the excitement or inspiration of glorious battle to urge them to duty. The sight of the flag, supported by long lines of gleaming bayonets, and half shrouded in the smoke of conflict, would convert the timid and wavering into men of bravery and daring; but it was not for their eyes to look upon such an animating scene. It was their lot to quietly wait, in dread suspense, the publication of the roll of the dead. With them it was "weeping over the unreturn-

ing brave:" the caring for the bereft family, perhaps the frequent struggle with poverty and want; the ministering to the returning loved ones, emaciated by disease, or maimed by the casualties of war.

Surely the conclusions of the two soldiers were correct. Compared with such experiences, the exposures, the hardships and sufferings of march, bivouac and battlefield were but insignificant. The unnamed and unknown heroines more than others, honored the soldier's cause; and in so doing they honored him. Their faith in that cause never wavered; their confidence in its final success was ever unshaken. During long years of terrible war they upheld loyal hands. They kept the home from which the soldier's thoughts were never long absent. Their words of cheer, their good wishes, their letters and their prayers followed him to the camp. The thought of them made him braver in battle and more generous and forbearing in victory. In their good opinion was intrenched his pride of character which made him what he was, and all that an American volunteer soldier could ever expect to be. Their influence was an aid to the discipline of that incomparable Union army. It sent men to the front; it kept them on the firing line. It inspired the soldier to the conscientious discharge of duty, and to the performance of great deeds. Those noble women of the bygone days! They strengthened the Government, because they were loyal to the home, which is the very cornerstone of the foundation upon which a government of the people rests.

Those olden times are almost forty years past and gone. Great things have happened in this most wonderful period of time. The history of great events has been rapidly made. The country has more than doubled in population. In wealth and greatness and power it has increased beyond the conception of that easy-going time, a half-century ago. A patriotic people have caused cost-

ly monuments of granite, marble and bronze to tell the story of a war that maintained the unity of a great nation, and furnished a multitude of examples of the gallant deeds and meritorious conduct of its soldiery. A rich and generous government has gone to the two thousand fields where Union blood was shed, and gathered up the remains of those who perished in the war, that their "government might not perish from the earth." It has interred them in its own beautiful and well kept cemeteries. It has marked the spot where reposes the sacred dust of each. It has done even more. It provides for every soldier whose last sleep is in city cemeteries or country grave yard, a suitable stone to mark his resting place. And on its great Memorial Day, the Nation strews with flowers the graves of its soldier dead. And all is well.

But wives and widows have not been thus honored. Many of them, upon whom the heavy burdens of war were laid; many who cheered and upheld the arms of "him who bore the battle," sleep in unknown and unmarked graves. Only the fading recollections of the rapidly disappearing few, who knew them in their lives recall the patriotism, their virtues and their sacrifices. And yet without the influence, the hope, the trust, the prayers of such women as they, in those times of supreme peril, that "new birth of freedom"—the conception of the immortal Lincoln—might not have come to the Nation.

Today, however, in this community at least, is the beginning of a new history. The worthy wife or widow of Union soldier, no matter how friendless, or how sore poverty may press upon her, can be consoled with the thought, as she approaches this spot, that in the shadow of this monument she may have an honored grave.

My friends, it is a great work that Mrs. Springer, the donor, Mrs. Pitkin, the efficient Department President and the good women of Columbia Relief Corps have done here.

I commend to all the patriotism that inspired the thought and the generosity that is exhibited in this beautiful structure. Surely so good an example will be emulated elsewhere. I commend to you the love and affection of her that prompted this gift. It not only is a memorial to widow of Union soldier, it commemorates the memory of good mother and loved daughter.

We live in deeds. We shall so live when granite has crumbled into dust. And when the story of good permitted to be done in this life is told here and up yonder there shall be mention made of her, and in the immortal story of good deeds, with sincerity of purpose done, she shall be remembered.

ADDRESS DELIVERED AT EFFINGHAM

FEBRUARY 12, 1909

About this date in 1861 Mr. Lincoln left his home to assume the highest place in government where the people had called him. He had just completed the age of 52 years. Many citizens were assembled at the old Wabash depot to bid him goodbye. He briefly spoke to them as the train was about to leave. That pathetic address is one of the gems in English literature.

It was in his characteristic style of placing in opposition and contrast words or sentiments in the same connection and in the same sentence. It is what scholars term the antithesis in logic, and which marks very many of his writings and sayings.

He spoke of the kindness of the citizens of Springfield, where he had lived for a quarter of a century, and where he had passed from a young to an old man—he was leaving them not knowing when or whether he might return to take up a task greater than that of a Washington. He declared that without the aid of the Divine Being who ever aided the great Revolutionary leader, who controled the destinies of himself and all, he could not succeed, but with that assistance he could not fail. He expressed his trust in that Being who could go with him, and remain with his friends and neighbors, and be everywhere present for good, and then added his confident hope that all would be well.

Commending his hearers to God's care, as he hoped in their prayers they would commend him, he bade them an affectionate and, as it proved, a last farewell.

Lincoln on the 4th of March following, became not only President, but the Commander in Chief of the armies and navies of the United States. His military authority was absolute, and not infrequently exercised. These comrades of the Grand Army were once subject to his direct command. The operations of the Union armies in the field he left largely to the discretion of his generals, but to them he often made suggestions and sometimes gave imperative orders, all of which abounded in sound judgment, military capacity and sense of fairness and justice. Freemont failed him in Missouri. He issued an order relieving him and sent it to the next in rank to be delivered unless the general "shall then have in personal command fought and won a battle; or shall then be actually in a battle; or shall then be in the immediate presence of the enemy in expectation of a battle." He gave all his officers a fair chance.

On January 27, 1862, he issued his first famous war order, directing a general movement of the land and naval forces of the United States, not against Richmond but against the insurgents on the 22nd of the following month. This evoked much criticism. It was a surprise to the country, that a man without military education; with only a short experience in command of an undisciplined company of volunteers (never under fire, in an insignificant Indian War, should undertake to direct the movement of several armies in a theater of operations, extending half across a continent. Some generals obeyed the order; others lagged. Grant with the army of the Tennessee and the naval forces at Cairo, got off ahead of time. Forts Henry and Donnelson were ours by the 16th of February. Buell and Thomas with the army of the Ohio moved promptly, and Nashville was occupied and permanently held before the first day of March. McClelland, confronted by Quaker guns at Manassas, loitered and fin-

ally transported the magnificent army of the Potomac by water to Yorktown in quest of an easier battlefield. Mr. Lincoln was greatly disappointed with this movement. In a letter he reminded this general that in "going down the bay in search of a field instead of fighting at or near Manassas was only drifting and not surmounting a difficulty,"—that he would find the same enemy, with the same or equal intrenchments at either place. And so he did.

History has justified the wisdom of Lincoln's great war order, while condemning the manner of its execution by some of his officers as he did himself. Two years afterwards his military ideas were carried out through Grant, his then General in Chief. Early in May, 1864, there was a combined and general movement of all the Union forces against the enemy. The armies of the Cumberland; the Tennessee; the Ohio; the James; the Potomac; the forces in the Shenandoah and at New Orleans all moved the same days. Before the end of the year Atlanta had fallen; the Confederacy had been cut in twain by Sherman's march to the sea; Savannah was ours; the Confederate army which had fought valiantly under Joe Johnston had been destroyed in a pitched battle before Nashville by glorious old Thomas; Lee's army was held as in a vise at Petersburg by Grant. The plans of Lincoln, Grant, Sherman and Sheridan were matured and in progress of accomplishment. The winter campaign through the Carolinas was a success. Fort Fisher had fallen. Wilmington was occupied; the Stars and Stripes waved over the rebellious city of Charleston. Then came the final struggle. The Confederate forces in the Shenandoah were scattered or made prisoners by Sheridan; the right of Lee's army was outflanked and beaten at Five Forks, and the Confederate lines before Petersburg were broken; then the disorderly and disastrous retreat of Lee's army, and the

relentless Union pursuit. Appomattox was the result. Richmond fell not by attack, but as an incident to these movements.

Was this Grant's plan? Undoubtedly it was at the time. It was Lincoln's plan however before Grant had become a Major General, or had won a substantial victory. In 1863, before Vicksburg had surrendered Lincoln is on record as saying to General Hooker who proposed to divide his army and attempt to take Richmond with the smaller part, "I think Lee's army and not Richmond is your sure objective point."

Mr. Lincoln as Commander in Chief had much trouble with some of his generals. All complaints of citizens; all questions of rank with officers; all jealousies between them seem to have been thrust upon him for settlement. His disposition of these embarrassing questions, often made in homely terms, showed sagacity, judgment and tact. McClelland claimed to have won a great victory at Antietam. He failed to follow it up making the excuse that his line of communication with his base was interrupted. Lincoln replied in these words:

"You telegraphed that you cannot subsist your army at Winchester unless the railroad from Harper's Ferry is put in working order. But the enemy does now subsist his army there, at a distance nearly twice as great as you would have to do, without the railroad. One of the maxims of war is to operate on the enemy's communications as much as possible without exposing your own. You seem to act as if this applies against you, and not in your favor. Change positions with him, and think you not he would break your communication with Richmond in 24 hours. If we cannot beat him, when he bears the wastage of his coming to us, we never can, when we bear the wastage of going to him. As we must beat him somewhere, or fail, we can do it easier near to us than far away. If we

cannot beat the enemy where he now is, we never can, he being within his intrenchments at Richmond. * * It is all easy if our troops march as well as the enemy. It is unmanly to say they cannot do it."

This was in 1862. The objective point in Lincoln's mind was there, as it was 8 months previously, and all the subsequent time—Lee's army—not Richmond.

To General Hooker just after his defeat by Lee at Chancellorsville after refusing to permit another assault on the works at Fredericksburg by a small part of the army he wrote: 'I would not take any risk of being entangled upon the river like an ox half jumped over a fence and liable to be torn by dogs without a fair chance to gore one way or kick the other."

The border states were not a little troublesome to Mr. Lincoln during the great war. They generally contained two factions, each trying to obtain the countenance of the government and the support of its army to crush the other out. To Schofield when he assumed command in Missouri he gave advice in terms quite as valuable to a political leader as to a general: "If both factions, or neither shall abuse you, you will probably be about right. Beware of being assailed by one and praised by the other."

Hon. Erastus Corning of New York sent him a series of resolutions complaining of the arbitrary arrests, in the North, of those who had encouraged desertion from the Union army; of the suspension of the writ of Habeas Corpus, etc. To him he replied: "Must I shoot a simple minded soldier boy who deserts, and not touch a hair of the wily agitator who induces him to desert? He who causes one soldier to desert, weakens the Union cause as much as he who kills a Union soldier in battle."

Many of Mr. Lincoln's troubles came from officers who had done excellent service in subordinate positions, but showed lack of capacity in the higher ones to which

ILLINOIS STATE HISTORICAL LIBRARY
OLD STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

they had been promoted. He provided for them as best he could, and with scrupulous and tender regard to their feelings. But they were rarely ever satisfied. The colonel who had commanded a brigade was never willing to go back to his regiment, any more than the brigadier who had commanded a corps or a division, was satisfied to again command a brigade. They continually beseiged Mr. Lincoln with complaints of assignments to duties and commands inferior to their rank. His letter to Maj. Gen. Hunter, December 31, 1861, is a fair sample of his replies: "I am, as you intimate, losing much of the confidence I placed in you, not from any act or omission by you touching the public service, but from the flood of grumbling letters I have seen from you since you were sent to Leavenworth. You constantly speak of being placed in command of only 3000. Now tell me is not this mere impatience? Have you not known that you are to command 4 or 5 times that number? I have been, and am, sincerely your friend, and if as such, I dare to make a suggestion, I would say you are adopting the best course to ruin yourself. Act well your part: there all the honor lies. He who does something at the head of one regiment will eclipse him who does nothing at the head of a hundred."

In conclusion let me say: The words of Lincoln which I have perhaps too freely quoted do not come from uncertain or unreliable tradition or from the imagination of magazine and newspaper writers, but from official records. They stamp Abraham Lincoln as a military character of ability and renown; among greatest according to Col. Fox, the great student of the records and statistics of the Civil War. They fully justified the tribute paid by the able confederate leader Longstreet, that most prominent among the names of the great war leaders of the early sixties, stands that of Abraham Lincoln.

My tribute to the character of that great man as a citizen, a neighbor and a friend is beyond my words to express. I can only use those of the greatest of English poets, written two hundred years or more before Lincoln's birth: "His life was gentle; and the elements so mixed in him that all the world might stand up and say this was a man."

A memorial address at Greenfield, Illinois, as summarized by the local newspaper of that time contains the thought of a statesman, a lawyer and a citizen.

> The orator of the day was Past Department Commander Benson Wood, of Effingham, and those who were privileged to listen to his address were greatly impressed by his forcible and logical delineation of American government and the character of its soldiers. No one who heard his remarks could help feeling proud that he was an American citizen. His reference to the government was a beautiful thought. He said you might go to Springfield and wander through the halls of the capitol in search of the government, but it isn't there; nor was it at Washington when congress is in session, but when traced to its source it is found that the foundation stones of this great republic rest securely upon the homes of the American people. Our government is simply the will of the people, for it is of the people and by the people. He said this country need never fear military domination as long as the army is made up of volunteer sons of a patriotic people. To illustrate this he spoke of that vast and victorious army at the close of the Civil war which had the nation's power in its hands. What was to become of these million and a half men who for four years had done nothing but kill and destroy, for this is what war means? What if they had demanded all their back pay, the pensions that had been promised them or an immediate division of the public lands before they would lay down their arms? But that was an army of the people, it was the government itself, and it as quickly disappeared in the tide of peaceful pursuits as it had appeared in defense of a threatened nation. The address throughout was inspiring and was without doubt one of the ablest that has ever been delivered in this city on a similar occasion.

Memorial Day A. D. 1914 was observed at Effingham, Illinois, by the dedication of a monument erected in Oak Ridge cemetery to the memory of soldiers buried there,

the most of whom were personally known to Mr. Wood. The address delivered by him has not been preserved. It was full of that loving sympathy that was a distinguishing trait of his character. It retold in brief but expressive words the story of their patriotism and devotion to the great cause for which their lives were given. The memory of the address still lingers and will linger long with those who had the pleasure of listening to it.

ADDRESS AT ANNUAL ENCAMPMENT

A. D. NINETEEN HUNDRED THIRTEEN

Ladies and Gentlemen:

This is the opening of an Encampment of the Comrades of the Grand Army of the Republic. In their later boyhood and early manhood, they heard the call of an imperiled government and "went to the front," in time of war, in response to that call. Long years have passed since then. They are older grown; live much in the past, and now they are indeed "venerable men who have come down from a former generation."

But they are not unmindful of the people of today. Sometimes they wonder if this generation, especially the younger part, are going to the front, as did they in those by-gone years. Their interest comes from the fact that the front is the place of honor.

Early in the Civil War, a Union general, on taking command of an army, issued an address to his soldiers, which was read on dress parade to every regiment. He told his men that honor, success and victory all lay in the advance, while defeat, disaster and disgrace lurked in the rear. That is as true in 1913 as it was in 1862. The front is also the place of good company which young people, especially, should seek. The bold, the vigorous, the industrious, the ambitious, the successful are there. It is the timid, the weakling, the slothful, the vicious, the failure who crowd the rear. This was true a half a century ago. It is the truth today.

The front is moreover the place of safety. When November comes there will be the fiftieth anniversary of

the battle of Chattanooga. Some here probably know and others have read, that after nearly two days fighting, Gen. Grant, in command of the Union forces, in order to support his right, and relieve his left, ordered Thomas, with four divisions of the Army of the Cumberland, under Johnson, Sheridan, Tom Wood and Baird, to take and hold, until further orders, the Confederate works at the foot of Missionary Ridge. Those divisions moved out as if on parade, and in a few moments, the works were in their possession. There they halted as ordered. But after a brief pause, with one accord, the line started up the slope after the fleeing Confederates. Grant did not understand that movement, and he applied to Thomas and his division commanders, as to whom had given orders for the advance. None of them had given orders; none could offer an explanation, except Sheridan, who it is said, told Grant that he had given no orders, but the "boys" had taken it into their heads to go to the top of that ridge, and all "hades" couldn't stop them. (I am not sure that "hades" was just the word he used.)

A private soldier of Baird's division said to me not long since "we had no trouble, and suffered no great loss in running over and taking the works and rifle pits. We surely had orders to halt. But we couldn't stay there. Them "Johnnies" had their batteries trained on our flanks. We couldn't go back. Neither Grant nor Pap Thomas would have stood for that way of obeying orders. Our only salvation lay at the front, and we had sense enough to know it." And up and up they charged through bushes, rocks and fallen timber. They crowned the crest of the ridge—they broke the Confederate center —the battle of Chattanooga was won.

Up there at the front, these men of the army of the Cumberland found themselves in the safest place any of the Union soldiers had occupied during the two days

conflict. The enemy had disappeared—all but the prisoners. Not a hostile gun or flag confronted them. True, their numbers were less. Some had fallen with faces to the foe. Their ranks were disorganized in making the rugged ascent. But with lessened numbers and broken ranks they were stronger at the summit, than at the foot of the ridge. By confidence and faith in their ability to carry the position they had triumphed. And what a victory. It seems to me I have read in an old book, that has long been in my house, of victory, grounded on faith, which surmounts all obstacles; which "even overcometh the world."

It is well that young people should know that the front is where they are safe, and where they are strong. One may well tremble for the safety of any young men or woman who is content, at this day, to tag along at the rear end of the procession. People naturally dislike to be crowded. The older they grow the less they like it. Up in that ever widening and expanding front there is room; plenty for every one who has made himself worthy to have a place there.

In the early morning of the second day of the battle of Shiloh a portion of the army of the Ohio reinforced the army of the Tennessee at Pittsburg Landing. Some of you present know that those reinforcements had a hard march of twenty to thirty miles the previous day and night, through mud and darkness, and in a pelting rainstorm to reach the battlefield. They came to it at the rear of the army—not a pleasant place in time of battle. The river landing was crowded. The slightly wounded were there; the stragglers; those who had become separated from their regiments were there; so were the sutlers and their clerks, the cooks and the teamsters; the discouraged. The non-combatants who had hugged the bluff all the day before, and had not been under fire, had their mouths

filled with hard luck stories of terrible losses in the previous days fighting and how their commands had been "all cut to pieces." That landing was no place to fight, or to receive an attack. There was not sufficient space to form a brigade, or even a regiment, in line of battle. The reinforcements had to make their way as best they could through that disorganized mass in columns, of fours; up the bluff, and out but a little way on the field. There they found a long thin line of cool, brave, determined men of Grant's army with guns in their hands. Do you know what they had been doing all the day before, and during all the long, cold, dark, rainy and cheerless night? They had been holding the front, the place of honor. Back at the rear, there was discouragement and doubt; but up there at the very front, was inspiration, room, beautiful fighting ground all along the line. Soon came the order to advance, then "the glorious battle raged," victory came to the Union soldiers.

May I not suggest to the young people here, if they do not wish to be jammed, jostled, elbowed and pushed around by those not worthy to stand beside them to get out of the crowded rear, and get up to the front where there is room, opportunity, and where victory is to be won.

Some may say there is danger in going to the front. There certainly is, in war or peace. So there is in very many ordinary vocations of life. The trainmen who brought us to this city; the men who toil in the mines, the shop men, where complicated and heavy machinery is employed, the men and women who ride in automobiles, all take risks. A disobeyed, or misconceived order, and then the collision; a broken rail, the train goes in the ditch; carelessness, and then the explosion or the fall of rock in the mine, or the machine turns turtle. Some die, some are greviously wounded. Men and women daily

go to their labors taking their very lives in their hands. But does that deter them? We are not always to stay on earth. It is not desirable that we should wish to. Some day we will drop out of the ranks. When we fall, is it not best that it be in the line of duty, with faces to the front?

It is said of a young Confederate Captain whose regiment was ordered to charge a battery that he turned to his company who wavered and bowed their heads before the pitiless storm of shot and shell, and cried out "Come on here! do you want to live forever?"

Going to the front does not always imply an advance. Indeed it not infrequently means the reverse. If we happen to have got on the wrong road, there must be a retracing of steps or the "cutting across lots" to get in the right way, or we will never reach the goal. We are wisely permitted to choose our own paths, but this involves the exercise of judgment, tact and discretion and the use of what is termed good "common wagon horse sense," one ounce of which is worth more than pounds of fine spun and impracticable theory. We ought not to be "standpatters," or too radically reactionary, except when we are dead right, and yet it is, perhaps, safe to say, we should not be too progressively progressive, in this practical every day life.

To reach the front does not involve, necessarily, the doing of great things, or the attainment of high honors. It only requires the taking up of the ordinary duties of good citizenship which Providence has placed before each individual. In the discharge of those duties, if he has used the best skill and ability that is in him, he has the assurance that he who has done his level best has done well. One of the Union generals, during the great war, wrote complaining letters to the President; that the force under his command was less than his rank entitled him to —that officers of less rank had more men than he. Mr.

Lincoln kindly answered him that he was sending him men as fast as he could equip them, and then advised the officer to do the best he could with the force he had, with this reminder: "He who does something at the head of one regiment, eclipses him who does nothing at the head of a hundred."

In the land whither we are all journeying, the pretensions we make, the positions we may have filled, the honors that have been ours, the titles and rank we have borne, will not count. We will be measured up there by what we have done, in the interest of civilization and humanity. In the last grand camping ground some private of the rear rank may be found with the star in his forehead, while the Major General of his division may not even wear upon his sleeve the chevron of an eighth corporal.

Are the young people of this day going to the front? Some, at least, most certainly are. Here in Illinois the young women and girls have become interested in domestic science and household economy. They meet to talk and experiment about the best methods of preparing healthful and well-cooked food for people to eat. Those girls are making good. They put upon our tables breakfast bacon beautifully brown and crisp, beaten biscuit and even salt-rising bread such as our mothers used to bake, and coffee—almost as good as that these old fellows here used to make in their soldier days, with a flat rock or stone and the butt end of a musket for a grinder and a cove oyster can for a coffee pot. That was coffee sure. And the boys! They are getting a move on themselves; studying the character of soils, the best kind of fertilizers for their lands; trying to raise two bushels of grain where one was raised before; catching on to intelligent, economical and effective methods of business. They are not far away from the girls, for the kind of girls I have spoken of, are just the kind manly and ambitious young fellows want

for wives. They are not seeking them in the dance hall or the card club, nor in the suffragette meeting or procession, but in the home, where good mothers are bringing up and educating daughters to bear worthily the highest honor of womanhood: "to reign in uncrowned glory the queen of a household."

I would not say these young people have reached the front. Rather let me locate them where the old colored preacher put a traveler who was enquiring how long it would take him to get to a certain point on his journey. The reply was " That 'pends how you go; if on foot, the whole day; if on hoss or mule back, and dat mule don't balk too often, half a day; but if you take de smoke wagon (maybe he meant the auto) you be most dar now." And the call for the front is still on in these days of peace as it was in time of war.

When these Grand Army men were soldiers of their country there often came critical conditions and important crisises—attack in one direction, reinforcements hurriedly to be sent in others to strengthen weak places. Then line officers were rushing through the camp and bivouac crying out "fall in, fall in, fall in." Haven't we all been hearing that cry for years? It comes from the State; from society; from the marts of business; from the church. It is the call to the people of this day and generation from the front. The ranks are already formed. If you will but lean out and listen you can almost hear, echoing down the line, the very words of command—the old command, which these elderly men so often heard in the years agone: Column Forward; Guide Right; MARCH!

To conclude: Not many years since I read a book of very great interest to people of my profession and business. At the end of each chapter was a single detached paragraph. There the thought, argument and important words of the author in the preceding twelve or fifteen

pages were concentrated, into perhaps a half dozen lines.

"THE DOCTRINE OF THIS CHAPTER RESTATED"

I have now occupied my whole time, and then some, in trying to give to this audience some old soldier talk, with perhaps some back number thoughts and also in endeavoring to suggest to the young people what is necessary, if they are to win some of the victories of peace, not less renowned than those of war. But all I have said, or tried to say might be tolerably well restated, be better expressed, and time saved had my remarks been boiled down into just four words, and I had merely said to them "Go to the Front."

His annual report as Department Commander illustrates his devotion to the soldiers and their widows and orphans. He argues for liberal service pensions to those who survived and recounts the honors bestowed upon the dead in monuments erected to their memory. He tells of the favor shown to the Grand Army by the people in furnishing buildings for the accommodation of its Posts. He condemns some mobs that have taken place and adds, "I am gratified in being able to report that the influence of our commander has been on the side of law and order. I have made substantial efforts to be informed, but am not able to learn of a single instance when an ex-soldier, of any war, has been the leader, or a moving spirit of the mob." There is only room here for the concluding paragraph of the report.

CONCLUSION

I again return my thanks for the high honor conferred by you upon me, at the Thirty-seventh Encampment. For almost a year, by your suffrages, I have been in command of an army of more than 20,000 men, of which

the world might well be proud. I am also under obligations for the efficient officers which you chose to act with me. They have all proved worthy and faithful comrades, and have given me a cheerful co-operation in the discharge of my duties. Those on my staff have been especially active in every work called upon them to perform. The Staff Association of Cook County, under its efficient officers, has fully maintained its fine reputation of former years. My thanks are due to the members for their assistance, and for kindnesses and courtesies almost without number. I also render my acknowledgment to the Commander's Association of the same county, for good work faithfully performed.

Upon Comrade Partridge, our efficient assistant adjutant-general, the department and its officers have leaned heavily during the year. None but my predecessors and myself know fully how much we are indebted to him for untiring and intelligent service. At the National Encampment at San Francisco he was appointed by the commander-in-chief to the position of adjutant-general. This was a well merited honor, but it imposed upon him additional labor. I was unwilling to dispense with his services, and he has since ably discharged the duties of both positions, and saved to the department a considerable amount in clerk hire, by having the two offices under one management.

I beg that comrades will unitedly respond to the order soon to be issued by my successor, that calls them to the observance of Memorial Day, and the attendance upon divine service the preceding Sabbath. That day and its impressive services have brought nothing but good to the Nation. It came from the Grand Army of the Republic, to which it should be an occasion of especial interest during the remainder of its life.

At the close of this Encampment I shall cheerfully take my place in the ranks, as ready to yield obedience to the orders of my superiors as comrades have been to acknowledge my own authority. My best wishes and efforts shall ever be with them.

I wish to all a large measure of comfort and happiness in their remaining years. I trust that not one comrade shall lose his membership in the Grand Army, except at the muster out by death, and that the time of final discharge will find each in possession of that hope which "maketh not ashamed."

The report also shows how faithfully he attended soldiers reunions and dedications of monuments and how largely he contributed to the interest and success of these occasions.

HON. BENSON WOOD.

MRS. JENNIE JEWETT WOOD

THE LAWYER

On the eighth day of June, A. D. 1864, Benson Wood graduated in the law department of the University of Chicago with the degree of Bachelor of Law. He had the honor of being the valedictorian of the graduating class. On the sixth day of July thereafter he was licensed by the Supreme Court of Illinois to practice law in all the courts of the state. Soon thereafter he came to Effingham and formed a partnership with William A. Avery under the firm name of Avery & Wood. Two years later Mr. Avery removed from the state and Mr. Wood was by himself for about two years when he formed a partnership with William H. Borton which was dissolved in 1875 and his brother, Virgil, became his partner. The firm of Wood Brothers continued until 1904 when Harry J. Rickelman became a partner and the firm name was changed to Wood Brothers & Rickelman. Virgil Wood died in February, 1915, and the firm name was changed to Wood & Rickelman.

Benson Wood was one of the progressive lawyers, who organized the Illinois State Bar Association in the year 1877. He continued to be one of the active and useful members until his death. In 1898 Hon. Harvey B. Hurd was elected President of the association and Mr. Wood was elected Vice President. Mr. Hurd died within a short time after his election and Mr. Wood became acting President. As a recognition of his high character as a man, his ability as a lawyer and services as a member of the association he was elected President in 1899. At the annual meeting in July, 1900, he delivered an able and interesting address, which follows.

ADDRESS BEFORE STATE BAR ASSOCIATION

Gentlemen of the State Bar Association:

My acknowledgments are again due you for the high honor conferred upon me in having been chosen as your president; as also for the uniform kindness and courtesy extended to me by the members during the past year.

Our association is older than that of any of the States and Territories, with but three exceptions. It antedates that of the American Bar Association, and goes back to January 4, 1877. On that day some ninety gentlemen of the bar of the State met in convention at Springfield, and took the initial step that has resulted in the permanent establishment of this association. Most of those who participated in that preliminary meeting and many who became members during the first year, by virtue of their attendance upon it, have been permitted by a kind Providence to remain until this day. But the shadow has encompassed some. Ficklin, Decius, Townshend, Cooper, Gregg, Gillespie, McNulta, Swan, Williams, Boyd, Puterbaugh, Greene, Hay, Hinchcliffe, Munn and perhaps some others whose names escape my recollection have gone hence. Those were genial and gentlemanly lawyers, whom it was a pleasure to meet at our annual meetings. We recognized them all as able and honorable men in their profession. Nearly every one had served the State in high and responsible positions, discharging public duty faithfully and well.

There will be an opportunity during this meeting of hearing some words from each of the original members who may be present.

As there has been no session of the Legislature during the past year, there are no changes in the legislation of the State to be embodied in the address of your presiding officer. In a few instances, statutes and city and village ordinances have been found obnoxious to the State or Federal Constitution, and have, therefore, been properly declared void by the courts. An examination of these cases will disclose that generally the legislative authority has acted hastily and inconsiderately; but occasionally a deliberate attempt has been manifested to conserve particular interests, or unfavorably affect others. All such statutes and ordinances appropriately fall under the head of "class legislation." They are by no means confined to Illinois. The desire that State or Nation should give to us some legal advantage over our neighbors, is quite as universal as in the olden time, when favorites sought and obtained special privileges, under the assumed prerogative of King or Emperor. We are, however, more fertile in excuses for such favors in the present day. They are asked, and not infrequently granted, on the alleged ground that the public good will be thereby conserved; or, that the many will be protected against the oppressions or exactions of the few; or, that citizens of same particular calling or vocation are entitled to certain favors or immunities in legislation that others more affluent, or perhaps fortunate, may not have. As a large refuge we seek shelter under "the police power of the State," when legislation is demanded to shield us from the inconvenient and annoying competition of those of larger enterprise, capital or capacity than ourselves.

A few instances might be appropriately referred to here as illustration.

In cities of 50,000 inhabitants, the selling of goods at retail by one management, in the same building, where sixteen or more persons are employed, was regarded, by

the Legislature of an adjoining State, as so great a menace to the public good as to require that the establishment should be taxed out of existence. The employment of no greater number than fifteen salesmen, in such store, will remove all such dangers, and free the proprietor from the species of tax.

In another State, where no period of service was fixed by contract, the law recognized the mutual right of employer and employe to terminate their relations at pleasure, except that it was made a misdemeanor to discharge a workman for belonging to a labor organization. The right, however, of such employe to quit his employment for no other reason than the failure of his employer to peremptorily discharge another workingman for refusing to join such organization seems to have been preserved.

In still another state, where the Constitution requires absolute uniformity in taxation and prohibits exemptions, the Legislature saw fit, in the interest of what it regarded as the deserving poor to exempt from inheritance tax $5,000 in each estate.

In another State, not so far away, the right to mix harmless coloring matter with pure milk, cream, or butter, is especially preserved by statute; but the admixture of the same harmless coloring with other not unwholesome articles of food, is made a misdemeanor, which might subject the offender to imprisonment for sixty days, as well as a fine of two hundred dollars.

Another law of the same State gave full damages to any employe who might be injured, or to the heirs of any one killed in a coal mine, the manager of which had no certificate of competency, no matter whether or not the injury was due to the negligent or wrongful act of manager or proprietor, or indeed whether or not the manager was, in fact competent.

The legislatures of at least two States have enacted laws requiring railroad companies to transport all who are able or willing to pay in advance the price of a thousand miles travel, at a less rate than those who have neither such ability or disposition.

It is not surprising that city councils and village boards should follow the example of legislatures, from which they so largely obtain their powers. Perhaps an instance or two, in a city near at hand, will be sufficient to show the peculiar character of ordinances of this species.

In any building where dry goods, clothing, jewelry and drugs were exposed for sale, by one person, firm or corporation, meats, fish, butter, lard, vegetables and other provisions could not be sold. Intoxicating, malt and fermented liquors, though in "original packages," were not permitted to be sold in any building where dry goods, clothing, jewelry and hardware were kept, or offered for sale. No prohibition was placed upon the sale of any other species of merchandise. Provisions could be sold in the same room or building with hardware, but not with Jewelry. Intoxicating liquors, sold in connection with jewelry and hardware, was deemed so dangerous to the good order of the city, as to require preventative action by the city council. But the sale of the same liquors in a building with vegetables or drugs or notions, was permitted.

It is not very remarkable that, under such circumstances, officers charged with the administration of law, should seek to get in line with general assemblies and common councils. They are continually besieged for special favors in the discharge of their public duties, and too often grant them. Contracts in which the interests of the State or municipality are insufficiently guarded, are sometimes obtained and generally by aid of "influence" political or otherwise. Statutory requirements are too

often disregarded and sound principles of public policy violated. There is always an excuse for such action, and the claim is usually made that it is in the interests of the people. Even where a letting to the lowest bidder is absolutely required by law, the past year has seen in several instances the condition of successful bidding imposed that goods made or labor furnished by a particular class of mechanics or workingmen must be used.

The courts, in many of the States, have during the past year passed upon this species of legislation and the ministerial acts of officers in the discharge of public duty. In nearly every instance the judgment has been that of condemnation. Some decisions are based upon the ground that the "subject was not embraced in the title of the act;" but the larger number for the bolder and more consistent reason that the distinctions made are purely arbitrary and unreasonable, and that property rights have been unwarrantably affected.

I have selected at random, the foregoing instances of the character of laws and ordinances too frequently found in our statute books. This is not done for the purpose of condemning any proper legislation on the objects attempted to be reached by them, but to show the evident disposition of lawmakers to favor, or unfavorably affect, particular interests or classes. If the investigation were pursued farther, it would be found that the interests intended to be benefitted were generally represented by a very much larger number of voters than those against whose interests the legislation was aimed. It is probably true that good faith and a desire to accomplish laudable ends, as well as to improve existing conditions, characterize most efforts in this direction. But they are largely creatures of times of unrest and local excitement, and when deliberately construed in the light of reason, justice and precedent, appear simply ridiculous.

The courts must be depended upon in the future, as they have in the past, to correct the evils which such enactments might bring upon the people. While courts do not enact laws, they practically have the power to repeal those against which there are well founded constitutional objections. A reference to recent changes in "the law of the State," is barely sufficient, without some notice of the adjudication of the courts upon such legislation.

Illinois has fared at the hands of her legislators and judges about as her sister States. The policy of the State, as determined by the law-making power, has remained undisturbed by the courts so long as there has been no infringment upon individual rights. A great many constitutional questions have been raised and some decided. In none of the cases does it seem that there would have been serious danger to the people, or their interests, had the decision been the other way. But the judiciary of the State has uniformly been quite jealous of the rights of citizens. The ancient constitutional privilege of electing their own constables has been restored to the electors of villages during the past year, by the judgment of our Supreme Court, and presidents and boards of trustees may no longer monopolize this species of public patronage. It has also been solemnly adjudged that each municipality in the State shall be as unlimited in power to create indebtedness for posterity to pay as any other, no matter whether the county in which it is situate has more or less than 125,000 inhabitants. The constitutional right of the people in any locality, to burden themselves with as high a rate of taxation as in any other portion of the commonwealth, has also been judicially affirmed and this without regard to the population of the county.

The subject of trusts, monopolies and combinations is now a matter of great concern among the people, and during the present year, perhaps, it has become a polit-

ical question. Probably no discussion of them ought to be indulged in here, but the platform of all the parties arraign and condemn them, and contain promises that the evils growing out of their existence shall be removed. It is not a matter of surprise to find each party insisting that all the others are insincere; that the remedies by them suggested are inadequate; that their arguments are unsound, and that relief can come through the measures it alone proposes. The differences, among the people, seem to extend only to the methods to be employed in dealing with existing conditions. All, except the very few who are believed to profit by special and exclusive advantages, are agreed something must be done, and that speedily, in changing and improving systems employed in the production and distribution of the products of industry.

It might be, under these circumstances, that a few suggestions in line with what already has been said, could be tolerated from an unauthoritative a source as the president of a State Bar Association.

In dealing with problems of this kind, certain traits of human character and certain unchangeable conditions ought to be recognized.

Mankind loves power. It loves also wealth, because of the universal belief that wealth brings power, as well as comfort and luxury, and therefore happiness.

People love money. They love to acquire it. In order to accumulate it they undergo hardships; they brave dangers; they undermine health, and even risk life. They put the dollar above themselves; sometimes above their reputation; above their liberty. We sometimes question whether our laws do not make the dollar more important than the man. Laws are the creature of government, and the government will always place as high an estimate up-

on wealth as do the people, and not a higher one. Is not the government "of the people?"

All people prefer to get money honestly and without violation of letter or spirit of law. It is true some of blunted moral sensibilities may be found who love it so well as to make efforts to obtain it in defiance of the legal rights of others. These, however, are exceptions.

People of all civilized communities like to engage in large enterprises. It would be safe to say that every business man, at some period of his career, desires his business to be greater than his own means will justify. He may borrow from others, but he more frequently seeks to join his own with the capital, skill and influence of his neighbors.

In most financial enterprises, the death of owner, or part owner, brings no loss to those whose money is therein invested, nor serious inconvenience to those who have business connections with them. In others, their relation to the public is such, that long duration of life is absolutely necessary to prevent irreparable loss by their ceasing to exist, or being compelled to go into liquidation.

Besides the desire and demand for large ventures, in which large capital is required, there is a natural disposition not to risk all one has in any one business so extensive that he may not be able to, individually, control it.

Hence, there will always be a demand and necessity for the corporation, with a long period of existence, and with limited liabilities of its stockholders. There will never be a time when such bodies corporate will not be important factors in commercial life. If one State of the Union will not create them another will. If for no other reason, because of the revenue which may be derived from the act which gives them being. It is true that the foreign corporation does business outside of its State only by

legal sufferance. It may be harrassed and annoyed, or the ban be placed upon it, but, eventually, it will be found that each State will, of necessity, treat the natural and artificial persons, who are citizens of other states, as fairly as it does its own.

As the limit of human aspiration and endeavor, along proper and lawful lines has never yet been fixed by positive law, it is safe to say that it never will be. The wisdom of no legislative body has ever yet been, nor ever will be, equal to that task. Some things we may do by law; others we can not. We may tax inheritances, or even destroy the right to inherit. We may prevent, or confiscate devises or bequests of lands, money, credits or chattels, even from parent to child. We may start all persons in life on as perfect an equality, in the matter of wealth, as of civil or political right. We may declare rivers to be navigable, and then, by the power of public improvement, make them so in fact; we may change their course, and cause their currents to turn backward. We may, by statute, set bounds to the sea, and with labor and material we may make of ocean dry land. But we shall never, by law, circumscribe human effort, impelled by energy, industry and capacity, and fix bounds beyond which it may not go.

People of like tastes or acquirements will continue to associate with each other. Each will seek the company of his own choice. The rich and the poor will be with us in the future as in the past. Want will continue to feed upon the crumbs that fall from tables of luxury. The rich man and the beggar will be factors in the social problem a thousand years hence, as they are now, and as they were nineteen centuries ago. There will always be classes. But in a republic there can be no middle wall of partition between them, that those on either side may not, themselves, break down.

Will there ever be a limit placed upon the aggregations of individual and corporate wealth?

Unless there are some very undesirable and dangerous changes in organic law, it is very certain that the individual will never be prevented, by law, from acquiring as great an amount of riches as his disposition and ability will permit, by the use of just and honest means. The time will never come, as it never ought to, when he will be restrained, by law, from employing, in any lawful business, as much of his own capital as he is willing to risk. He will be taxed, as he ought to be, like other people of perhaps less capital, engaged in similar business, but not at a higher rate. His property will be protected by the power of the State, the same as that of his neighbors. He will, at times, suffer from the non-enforcement or mal-administration of the law, as they do. He will be permitted to make such lawful investments as he pleases, even to the buying and holding the stocks and bonds of private corporations. He does not owe his existence to the commonwealth, nor is he entirely indebted to the State for his powers of mind and body. In the pursuit of happiness, which includes the lawful acquisition and use of property, he has inalienable rights, the impairment of which is not permitted, even by as important a body as a constitutional convention.

In dealing with the individual and his property, legislatures and courts and executive officers ought not to forget these existing conditions, which are beyond the possibility of lawful, or substantial change.

With corporations, however, we meet with an entirely different state of case.

They can be lawfully created only for the advantage of the public. The State gives to them all their powers; it prescribes to them the period of their existence; it determines the amount of their capital stock; it fixes the lia-

bility of their stockholders. It may (and ought ayways) preserve the power to make any reasonable rules and regulations for their government and the management of their affairs. Indeed, it is doubtful if any corporation can legally be created in any State of the Union, without this reserved right remaining in the law making power which gave it life. It is the mere creature of the law. It may not act in contravention of law, or of the public policy of the State. It is composed of individuals, subject to human frailties. The majority of these individuals, or of the stock owned by them, control its actions. It is due to the public, as well as to the minority of the stockholders, that some higher authority than the officers should investigate any irregularities that might occur in its management, to the end that its privileges and franchises might not be abused, nor its business conducted to the injury of public or private rights.

The common law provided the way and method through visitation by which the illegal acts and irregularities of the civil corporation might be inquired into and corrected. Many of the states indulge in the presumption that the restating, by code commissioners, or the re-enacting, by legislators, of elementary principles of law, very materially improve and strengthen them. It is, therefore, probably true, that there is no State in the Union, which, under its constitution and laws, is without this common law remedy—either by virtue of the existence of the common law, or by statutes, which give substantially the same mode of relief. The king, by his prerogative, could create, but not destroy, the civil corporation. He was, by law, its visitor, but this jurisdiction he must exercise in and through his own court, of the King's Bench. The State, at the present time, has the same, but no greater prerogatives and powers. These have generally been recognized in statutes authorizing its State's at-

torneys, or other law officers, to file informations against a corporation which does, or omits to do, acts which amount to a surrender or forfeiture of its rights and privileges, or when it exercises powers not conferred by law. In this manner, and in its own courts of general jurisdiction, the State may visit and inspect the corporate bodies it has created. It may inquire into and redress all their misbehaviors and prevent any deviation from the end of their institution. Through its judicial, and not its legislative powers, it may, wherever franchises have been abused, declare them forfeited, and adjudge that the condition upon which corporate life was granted, has been broken, and the incorporation, therefore, void.

It is repeatedly insisted, and doubtless with considerable truth, that corporations, foreign and domestic, create monopolies; that they combine to shut out or destroy competition; that they unite to restrict production; and enhance the price of their products; that they buy the property and franchises of other corporations which result, practically, in many ceasing to exist, except for the purpose of receiving and distributing dividends not earned by their legitimate business. As a culmination of wrongful acts it is charged that they turn over their business, property and franchises into the control of trustees, or a general organization, commonly called a "trust," the result of which is that competition is destroyed to the injury of the public, and for the benefit only of those interested.

In all such cases, one of two things is certain—perhaps both.

There has been actual violation of law, or there have been granted greater corporate powers and franchises than the State ought, or perhaps had power, under its constitution, to give.

What remedy can be applied? If it be a foreign corporation, not concerned in inter-state commerce, the way is easy and simple. It is subject to the same restriction as a domestic corporation, and can have no greater powers under the laws of the State. Hence, it may be controlled by the courts in the attempt to perform any illegal acts. It does business in the State merely by the rule of comity. Therefore, the legislature may treat it as it may not the domestic corporation—impose upon it any conditions, or even prevent it from engaging in business within the State.

What shall be said of corporations which the State itself has created, when they violate law or contravene public policy? Why should they not be visited? Why should not judicial inquiry be made as to the manner and methods of their operations? Why should not the people, through forms of law, know whether they have honestly been using, or dishonestly abusing, their great privileges? If a small part of what has been said against them be true, why should we not frequently experience the salutary effect of judgments of forfeiture and ouster against them? More than that—why should we not see more instances of their charters, franchises, property and business, seized into the hands of the State, or the offending corporation itself fined to the extent permitted by law?

If such remedies were applied; if a few manufacturing transportation corporations should find their charters and franchises forfeited by the judgment of the courts, and they ousted from the possession and enjoyment of their properties, it is reasonably certain that all corporations would henceforth confine themeselves to their legitimate chartered powers. Very much of the complaint against them would then disappear. It is also most probable that large stockholders would realize that the safety of their investments rests on honest compliance with law,

and their interests would induce them to keep their corporate acts within legal bounds. The influence of such a course would certainly not be in the direction of the violation of law or public policy. We might confidently predict that under such circumstances, if the trust, or the combination, still existed, monopoly would no longer be fostered by the corporation.

This remedy is essentially practical in our own State. The common law affords it; the legislative authority has given it by positive enactment, and the courts have confirmed it by repeated decisions. Able, incorruptible and impartial State's attorneys, adequately paid and backed up by healthy public sentiment, can do the State more good, in the proper control of corporations, than a dozen sessions of the General Assembly.

I do not forget that the number of corporations existing and doing business under the laws of the State is very large, and that the task of controlling them, is apparently great. This condition exists, and for its existence no class of people and no party is entirely responsible.

The constitutional convention of 1870 was, perhaps, as non-partisan a body as ever assembled in Illinois. It provided, not unwisely, that corporations should be created by general, and not by special laws. The first General Assembly, under the provisions of our present Constitution, enacted a law, authorizing the creation of corporations for almost every lawful purpose. The exceptions, five in number only, have practically been removed by subsequent legislation. The expense of incorporation was made merely nominal. The period of corporate existence was permitted to equal the life of three generations of men. The amount of capital was left to the discretion of the incorporators, no matter how large or small, or what its business might be, or how the interests of the public might be affected thereby. The liabili-

ty of the stockholder was made no greater than his unpaid stock subscription. A statute was left unrepealed that recognized the right of the private corporation to consolidate its property, stock or franchises, with any other. Concurrent legislation not only confirmed this right, but gave the stockholders power to change its name, and the place of its business. They could also increase the capital stock to such amount as they saw fit, and decrease the number of the directors, managers or trustees. The excuse for granting such privileges is given in the emergency clause of the concurrent statute: "A large number of corporations in the State desire to change their names, and otherwise comply with the terms of this act."

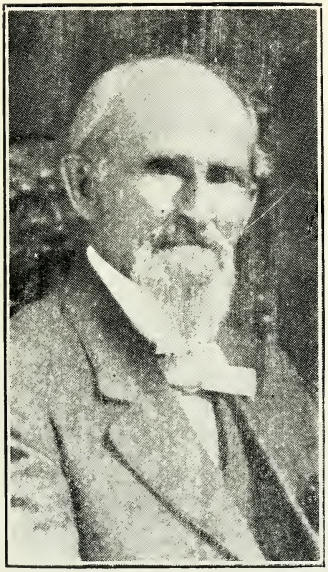
The invitation thus held out by the State to the people to abandon the individual ownership and management of business, and to substitute therefor the safer and more irresponsible control by the corporation, has been quite eagerly accepted. The private partnership has largely ceased to exist. Its property has been turned over to the corporation, at generous prices, in payment of stock subscription. The partners have become paid officers or employes of the corporation, with liberal salaries. The sale of the partnership property, and the salaries, generally have secured, or have intended to secure, fair dividends to those favored stockholders. Only those unlucky ones, who had nothing but money with which to pay their subscriptions, and were not fortunate enough to obtain good salaried positions, have been at a disadvantage.

If the competition of any other "company" or corporation proved annoying, or if such other corporation had had sufficient "influence" to secure, from the municipality, a valuable franchise, a majority of its stock could be bought, and consolidation either resulted, or one of the other corporations only continued in nominal existence. If it seemed desirable to exercise powers, not con-

ferred by law under the original charter, the corporation found, a few years later, a convenient act permitting a majority of its stockholders to enlarge or change the object for which it was formed.

The subsequent history of too many of these bodies corporate can be written with the same words. Their business was continued as long as money could be made out of the public. And, finally, when that condition ceased, it was found that the stockholders, or some of them, had taken the profits, the creditors had shared the losses.

One of two things may be stated in excuse, if not in justification of the incorporation system of Illinois. It is as good as that of many of the States, and much better than that of others. Some of our citizens are accustomed to journey to distant States to incorporate under laws more lax than our own. It is entirely impartial. Any five citizens, irrespective of race, class, color or previous condition, may avail themselves of the benefits of its provisions, if they are able to raise the moderate and necessary fees. A "monopoly corporation" can no more be created under our laws than a monopoly child could be born within the State. Every citizen has the equal right to have his individuality, and his business, swallowed up by the corporation. By the letter of the law, and the right of consolidation, every corporation has the equal right to buy up the franchises, property and business of other corporations, to the limit of its financial ability, or to the extent of its capacity to borrow money for that purpose. We need not deceive ourselves. The "combine" by individuals is shielded by constitutional law, if not by inalienable right. The "combine," by corporations is made possible by statute. The strictly legal formation by corporations of what is commonly understood by the term "trust" is made easy and simple by the letter of our law.



VIRGIL WOOD.

And yet the people are not helpless before them. The combinations and conspiracies of individuals to corner and forestall markets are still punishable and preventable by law. The consolidated company, the "trust" and the "combine" have no greater powers or privileges than the individual corporations that organized them. They are as much subject to law after their formation, as were their constituent members before. We hear no serious complaint of the system of laws that permits their existence. We may insist, as we lawfully can, that every corporate body or association of persons, natural or artificial, whose being is made possible by law, no matter by what name it may be called, shall do no act to the injury of public or private right.

We can not very well undo what has been done in the past thirty years. It is perhaps apparent now, that it would have been better if our laws had confined the object and end of the corporation to the comparatively few enterprises requiring greater than individual capital. Perhaps it would have been better, had the small business of the country been left to die with its owner, and go into liquidation and settlement like his estate. But it is not wisdom to dwell on what might have been under other circumstances, when the solution of present problems is before us.

It would be a dangerous experiment now to entirely repeal, or radically change our incorporation laws. It would be more dangerous to attempt, by statute, to revoke charters. Too many rights have become vested, too much property is owned and controlled by corporations to be destroyed or its value impaired. Drastic legislation would cause too much loss and inconvenience to the people, and in the end defeat its own object.

It was characteristic of the common law that it first made use of existing remedies to redress all wrongs. It

did not prescribe them in advance. The very fact that it did provide for the control and correction of the corporation is positive evidence that people then suffered from its misbehaviors, as they do now. It long ago settled questions identical to those now confronting us, according to the principles of justice and right. In dealing with the corporation at the present time, we must come to that test, and time will not impair it. The courts can apply it, and upon their judgments (rather than the amendment of organic or statutory law, largely rests the hope of the people for such relief as they ought to have from any evils occasioned by the wrongful acts of the civil corporation.

Unavoidable absence from the State during a portion of the time since our last meeting, and a pressure of private and professional business, have prevented me from giving as much time and attention to the affairs of the association as I could have desired, or as much as might reasonably have been expected from the president. Upon the efficient secretary has been thrown a large part of that work for the past year. I fully appreciate, as do my predecessors, how greatly indebted we are to the untiring and intelligent labors of this faithful officer in the interests of the association. It affords me great pleasure to have this opportunity of leaving on record a commendation of the able and gentlemanly manner in which he has discharged the duties of his position.

At our last meeting there was adopted a memorial, prepared by Mr. Moses, relative to a general movement throughout the country for the appropriate commemoration of the one hundredth anniversary of the elevation of Chief Justice John Marshall to the Supreme Court of the United States. I am gratified in being able to state that the memorial has been favorably received by members of our profession, by the press, and by citizens generally. The American Bar Association has given to it an

unqualified indorsement, and appointed a committee to perpare suggestions for the suitable observance of the day. It will afford an opportunity of paying fitting tribute to the memory of a gallant soldier, a ripe statesman, and the greatest constitutional lawyer of the century. We are greatly indebted to our associate, Mr. Moses, for his earnest and able efforts to make this movement a success. It is my hope, as it is my recommendation, that the members of this body take early steps to cause the day to be appropriately observed in every county where they may reside.

The practice commission, created under authority of a joint resolution of the last general assembly, has been active and diligent in the discharge of its duties. We expect to be favored during the present meeting with such report from the members appointed by this association, as he may deem proper and appropriate. It is to be hoped that the work of the commission may secure legislative approval, and I venture to predict, if it shall, that the practice and procedure in courts of justice will be greatly improved.

We have in our place of meeting today a vacant chair. We miss the old time greeting of our genial friend and associate, Gen. McNulta. We can hardly realize that he has gone from us forever. We rather sit expectant that his kindly face may reappear in our midst. We almost catch ourselves listening for the sound upon the threshold of the familiar step that comes no more. We can not think him dead. It seems more that he has voluntarily journeyed into a not far distant land, the loves and attractions of which must be very great, or he would return to those who sadly miss him.

I congratulate the association on its growth during the past twenty-three years, and on its present standing. Its members are, by virtue of their profession, and under

the obligations they have taken, officers of the courts in which they practice. The demand is made, not alone of the judges, but of them, for the exercise of their best efforts and abilities, to the end that there shall never be lack of confidence in the security of personal and property rights under the administration of justice in the State. The history of our bench and bar, from the period of its first existence, justifies the prediction and belief that no such demand will ever be made in vain.

DEDICATION OF SUPREME COURT BUILDING

When Illinois was admitted into the Union in 1818, a Supreme Court was created and required by the State Constitution to hold its session at the State Capitol. The Constitution of 1848 unwisely provided that the sessions of the court should be held alternately at Mt. Vernon, Springfield and Ottawa. Experience demonstrated that the migration of the court from place to place increased the labor of the judges, obstructed the business of the court and delayed the decision of cases. It was unsatisfactory to the Bench and to the Bar. The Constitution of 1870 provided that the times and places of holding the Supreme Court might be changed by law. The legislature provided by law that all terms of the court should be held at Springfield. An elegant "Temple of Justice" was built as a permanent home for the Supreme Court and its offices and libraries. The fourth day of February, 1908, was set apart for the dedication of the building to the uses for which it had been erected. There were many very able and distinguished lawyers in the State. From among them Benson Wood was selected to make the dedicatory address. The occasion was one that marks a distinctly progressive step in the judicial history of Illinois. The address shows how well he acquitted himself.

May It Please the Court:

On the fourth of January, 1877, a number of lawyers met in this city, and organized the Illinois State Bar Association. Eventful years—enough to nearly measure the life of a generation—have passed since that day. The

increase in the number of people of the State, during this period, equals its entire population, at the end of the first fifty years of its existence, as one of the States of the American Union. In wealth and influence; in the development of material resources; in the magnitude of its commercial interests; the anticipations and expectations of a third of a century ago have been more than realized. The growth of legal business is manifested by the increase in number of courts and of judges. The printed books; wherein the decisions of this court are reported, outnumber those of all the preceding years by one hundred and forty-one. A new court of appellate jurisdiction has been created since then, the published opinions of which already fill one hundred and twenty-nine volumes.

Some things have occurred, as these years have gone, that bring to the memory of those who outlive them, a measure of sadness, as well as pleasure. Not one of the justices of this court, who were then on its bench, is sitting where either of your honors do now. All, but one, have passed to the "unknown country," but each has left behind him a record of ability, conscientiously displayed, and integrity without a spot. One who participated in that first meeting—an honored member of this tribunal—has within the past year been called away by death.

The majority, however, of those early members, once so regular in attendance, come no more to our meetings. If the old roll were called today, few responses from earth could be made. They have gone the way that all the living must go, but leaving to the survivors pleasant recollections of prized associations.

And yet it is a great pleasure and satisfaction to recall that many of those who met on that January day, thirty-one years ago, and in the first regular meeting a year thereafter, have not been forgotten, nor failed of

recognition, by an appreciative people. One has been called to the highest judicial tribunal of the Nation, and honorably occupies the place once filled by a Marshall; another, chosen as Vice President of the United States; another has, for thirty years, faithfully represented Illinois in the United States Senate; another was placed on the bench of this Court; others, chosen as judges of our Circuit and Appellate Courts, and many others, to high official positions of honor and trust, where duty has been ably and conscientiously performed.

The State Bar Association has had no occasion to come as a suitor before the Supreme Court. Its occasional presence here has generally been to ask for brief time, in which tributes of respect might be paid to the memory of some of our distinguished associates here, as judges or attorneys, who were then among those had gone from earth. Its last appearance. in this presence, was on the one hundredth anniversary of the elevation of that great constitutional lawyer and jurist, John Marshall, to the office of Chief Justice of the Supreme Court of the United States.

These courtesies, heretofore so kindly extended not only to us, but to the bar of many counties, seem a reasonable excuse for me to ask, by the direction of the State Bar Association, for a brief pause, in the pressing business of this Court, that mention might be made of so important an occasion as the occupancy, for the first time, of this magnificent building, by the Department of Justice.

Naturally there occurs, at first, some brief matters of history.

The first term of the Supreme Court, at which cases were considered, was held at Kaskaskia, in December, 1819; from that time, up to 1839, at Vandalia. Prior to 1849 all judges were elected, by the General Assembly,

to hold their offices during good behavior, and there was but one place—the seat of government—at which the Constitution authroized the sessions of this Court to be held. But, by the statute of 1845, its justices seem to have been given the right, (not however exercised), to change the place of its sitting, "by reason of pestilence or any other public calamity*******until the cause of such removal shall cease," From the July Term, 1839, to the December Term, 1848, the sessions were held at Springfield, and from the December Term, 1848, to the October Term, 1897, in each of the three grand divisions provided by the Constitution of 1848, and recognzed by that of 1870. During a considerable portion of the first thirty years, in the history of the State, the Justices of the Supreme Court were required by law to hold the Circuit Courts.

One of the facts of history that might somewhat astonish people of this generation, is that for nearly a quarter of a century, the salaries of Circuit Judges were fixed by the Constitution at one thousand dollars per annum. Justices of the Supreme Court fared better at the hands of framers of organic law. They were allowed twelve hundred dollars, "and no more."

Another fact, not less surprising, is that for a period of a half century, since Illinois has been a State, its court of last resort was without any one particular place of abode. Its justices literally "rode the circuit", like the nisi prius judges and the attorneys of the olden time.

Happily and fortunately these conditions no longer exist. Their remedy was made possible by the Constitution of 1870, and the will of the law-making power. By the act of the General Assembly, approved May 18th, 1905, this palatial edifice has been provided for the permanent use of the Supreme Court, as well as the Appellate Court of the Third District; the offices of the Attorney General

and the State Law Library. Here will also be the repository of the records of this Court, which, with the exception of one early term, have all escaped destruction by casualty, and are fully preserved. Much interesting history is contained in the decisions of questions for many years obselete; and of controversies long since determined and gone from memory, as the suitors and their attorneys have passed from life. Some of the romances, some of the tragedies in the lives of ordinary citizens, might be disclosed in musty records, that do not appear in the published opinions of the judges. Some of the humors of the law could be found in briefs and arguments of earlier, and indeed of later, times. He, who, from curiosity, should examine the records, judgments and opinions of the past, that henceforth may be found here, will find disclosed character and characteristics of able judges and brilliant attorneys, and also matters of almost forgotten history.

We can hardly appreciate, in these times, what was involved ninety years ago, in organizing and putting in operation a state government, in so extensive a territory as Illinois.

The entire population was then a little less than fifty-five thousand. The people were without much material wealth: money or currency of any kind was at first scarce; one of the evils soon encountered was that currency, such as it was, soon became too plentiful; there were no cities or villages of considerable size or population; the settlements were widely separated, the means of communication between them very primitive; the whole state practically a wilderness.

Under such circumstances a constitution was to be adopted, and a system of laws, for a diverse and widely scattered people, to be enacted. It was a great and re-

sponsible undertaking, to be performed under serious difficulties.

There were, however, some favorable conditions. The land was rich in its undeveloped agricultural resources. It was fairly accessible by navigable rivers along most of its borders. The great lake was at its northeast corner. The first brave settlers brought with them a code of unwritten law. It was a priceless heritage from worthy ancestors, and it is to the credit of those who first came, and to all who have come after them, that it has been preserved. Some mistakes are always made in the building of a state, to be corrected in after years. Some hopeful and some visionary expectations of rapid growth and development; of speedy increase in wealth, must generally be dissipated. Experiments in legislation, and in other matters, must be made, and some are likely to result in failure. Statutes, enacted with care, will be found unsuited to the habits, education and conditions of the different peoples that make their home in a new commonwealth. But no well-disposed people will go far, or permanently, wrong, who have for their guidance the accumulated experience and wisdom of centuries, that is embodied in our common law.

Illinois is no exception to other States of the Union. History indicates that it has had a very considerable amount of legislation, upon many questions, some of which were only pertinent to times and conditions, long since past; some are still with us, and others are looming up for future consideration and action. The governmental "ownership of public utilities"; "referendum"; "waterways and navigable rivers"; "banking and currency", are not altogether strangers to either constitutions, statutes, or judicial decisions, of former years. In the disposition of these questions the judiciary has had a part. History has been made, and history has been and will be

repeated. The State still owns a canal; it has built and owned locks and dams, and unfinished railroads. Through forms of law it has acquired, by entry from the general government, land for purely speculative purposes. It has made unsuccessful efforts to build up a city within its borders that should outrival one of a sister State, and, indirectly, it has used public funds for this purpose. It was once the owner of a bank of discount and deposit, some of the issues of which were properly held to have been put in circulation by the State itself, while others were adjudged to be its own "bills of credit," prohibited by the Federal Constitution. It has been a large stockholder in a bank created and authorized by provision of its own statute. Its legislative authority, once inaugurated at least two systems of banking, over the disapproval of a council of revision, and the veto of a governor. One of them was approved by the people, on a referendum vote. It has inaugaurated, in the past, an extensive and expensive system of internal improvements, and with some aid from the Courts has recognized the failure and death of the projects. Indeed it might be said that the State has fairly well demonstrated the superiority of private enterprise over governmental undertaking in the business affairs of its people. It is also probable that an old saying, that people are best governed who are governed the least, finds some support in its past experience.

As somewhat pertinent to recent and perhaps present conditions, it might not be amiss to recall that Illinois once had an only and a purely "asset currency"—a supposedly "safe currency", based solely upon the bonds of the United States, and of the several States of the Union; —an "emergency currency" that could be immediately issued under a general law;—an "elastic currency" which, when no longer needed, could be as quickly retired as issued, and by inducements much greater than by the com-

pulsion of any tax on circulation, suggested by bills now before the National Congress. The State also had, what some people of the country seem to wish for now—a "central bank of issue and redemption." These systems and the institutions created under them still live, but only in memory, or in anticipation for the future.

How interesting are the repetitions of history! And how usually do they follow the line of unsuccessful experiments in the past!

When laws are enacted, Courts are likely to have the duty of interpreting and construing them. It has therefore so happened that nearly all the legislation on the subjects mentioned have, directly or incidentally, been before this Court. Some of the expressions in opinions filed a half century ago almost seem to have been made for this day and generation. The rights of bank depositors have been declared in words, not uncertain or doubtful, by such clear-headed business men and judges as a Caton and a Walker. It was long since declared from this Bench, that to deny the right of a holder of a check, or certificate of deposit, to his money in the hands of his banker, "would destroy the most valuable feature of bank deposits;" That unless a depositor could be accomodated with current funds, and in full, it were "worth no one's while to keep a deposit acount;" that bankers were without right to change express or implied contracts with their depositors of money, and to pay deposits in uncurrent bank paper, by proof of "customs or agreements" among themselves. It has even once been said, by this Court, that in the more virtuous days of the Republic, it was deemed dishonorable to deny a depositor, but in a "day of lax principles it was a common occurrence." Such declarations might be out of line with "clearing house certificates" and "cashiers' checks" not immediately redeemable. But they seem to be sound in law, and it is

possible that if some of these old time and antiquated notions still prevailed, reserves might be better cared for and protected; suspension of payment by banks might not be considered as evidence of insolvency, there might be less said about "ultimate safety and security;" and there might be less occasion for legislation along former lines when reforms in banking and currency, and in many other matters, are greatly in demand.

But, passing these perhaps unimportant but not uninteresting matters of history, it is not improper to briefly refer to the personality of justices and attorneys, who have been conected with the Supreme Court. It is but just to say that they embrace very many men of great ability, of sterling integrity, and undoubted patriotism. The period from 1857 to the adoption of our present constitution was marked by great political excitement. Federal questions of moment, concerning the territories, slavery, the raising of armies, tariffs and reconstruction, continually agitated the Nation and the State. Party feeling ran high, and party prejudice was but too often exhibited. During all this time the majority, and during most of it, all the justices of the Supreme Court were not in accord, in party allegiance or political faith, with the men who held the executive authority. The absence of friction between these two great departments of government makes brigher the history of our State. Naught else could have been expected from governors like a Bissell, a Yates, an Oglesby and a Palmer or from judges like a Caton, a Breese and a Walker. And yet these were all positive men, using, at times, strong language, and always meaning what they said. They were not accustomed to the use of honeyed words. The violent attempt to dismember the National Union, in the early sixties; the forcible seizure of forts and arsenals by insurgents; the hostile firing upon the flag of the country, were not re-

fined by them into such soft terms as "war between the States." That patriot judge, John Dean Caton, from the bench of this court, characterized such acts as "rebellion in the South" against the government.

Some of the justices of this court have brought to it ripe experience and knowledge from other high official positions and from pursuits and avocations of former life. Some, an ability acquired in efficient service as judges of other courts; some from long and successful practice at the bar. Not less than six had been soldiers in wars through which the country has passed, and not a few attorneys have seemed to recognize in the consideration of important legal questions, by some of these judges characterictics of the old spirit, firmness and fearlessness, manifested on fields of battle. Two came, after distinguished careers in the Senate of the United States.

Some of them left the Bench to accept high and honorable positions under the State and general governments; others, by the reduction in the number of the judges under the provisions of the Constitution of 1848; others "died in the harness," and ended honorable careers with their lives.

Among the judges and attorneys who have borne a part in the work of this court, are many who have been highly honored by this and other states, as well as by the nation.

Governors, judges, cabinet officers, representatives, and presiding officers, in both houses of Congress, ministers to foreign countries, judges of Supreme Courts of the United States, heads of departments and bureaus of the National Government, generals of brigades, divisions and army corps, have all been taken from their numbers. They were patriotic men, willing to fight for their country. Many who were carried on the rolls of this court, have been borne also on the rolls of the armies of

the United States. In the Black Hawk War appear the names of Abraham Lincoln, Adam W. Snyder, Sidney Breese, Theophilus W. Smith and Justin Harlan.

In the war with Mexico, which resulted in the acquisition of an empire in the West, the names of such Illinois lawyers as William A. Richardson, W. H. L. Wallace, William H. Snyder, Murray F. Tuley, John A. Logan, Stephen C. Hicks, John H. Mulkey, Ferris Foreman, Lewis F. Casey, Edward D. Baker, Nathaniel Niles, Isham N. Haynie, James L. D. Morrison, William Stoker, Hugh Fullerton, Michael K. Lawler, Leonard F. Ross, Richard J. Oglesby, James Shields, John J. Hardin and William H. Bissell, may be found on the army rolls. Some returned to resume former avocations; many to respond to future calls of country in subsequent years; some were numbered with the slain. Hardin went down in the crash of battle at Buena Vista. Bissell won imperishable honor on that same field of glory. He died the governor of the state, in the executive mansion near by. Mr. Justice Shields went almost directly from a seat on the bench of this court to uphold the honor of the flag on a foreign soil. In command of a brigade of two Illinois regiments, led by Baker and Forman, he fell, desperately wounded, in the battle's front, at Cerro Gordo. His reward was a seat in the United States Senate from three different states; a Major General's commission in the great war. Baker fell at Ball's Bluff; Doughetry shed his blood at Belmont; John A. Logan and William R. Morrison were among the wounded at Donnelson; Sheridan Read died at the head of his regiment, in the desperate fighting among the cedars at Stone's River. Hicks and Haynie brought from Shiloh the "honorable scars of war." Wallace, a general in command of a division, in the hornet's nest, near the Shiloh church, ended a faithful service to his country with his life. His trophies were a front line

firmly maintained during a long day of bloody conflicts—a battlefield held—an army saved.

The reasonable limits of an address here would hardly contain the names of those, on the roll of attorneys a half century ago, who led forth companies and regiments of the young men of Illinois to battle for an imperilled government. They made lasting records. I know of none on which there now rests a stain.

There is the name of one lawyer very frequently appearing in the records of this court from the December Term, 1840, to the January Term, 1860. It is that illustrious name, honored by the civilized world, which appears in published reports, simply and modestly, as "A. Lincoln". In the most critical period of our history the people called him from his law office, in this city, to the highest place in the government. During the period of a long and terrible civil war, many of the burdens of the republic were upborne by his shoulders—much of the griefs of his people were carried in his great heart.

He lived to see the great object of his later years grandly and successfully accomplished—the Union arms triumphant—the glad coming of the days of peace—the National Union preserved—the flag unsullied! His life's work nobly done, he passed away, and left a nation mourning.

How these memories of the great men of former days, and the great events in which they had important parts, come back to us, old members of the bar, who live so much in the past, on an occasion like this.

As for the present, and the future, may I not be pardoned for speaking as layman rather than lawyer? The ordinary citizen has a greater interest in what shall hereafter occur within these walls, than judge or attorney. Here will be declared the law—not only as it

is written, but is construed, interpreted and enforced according to its spirit. Here will henceforth reside one of the strong arms of the government.

One of the brilliant law officers of the state once declared: "There is but one use for law—but one excuse for government—the preservation of liberty; to give to each man his own; to secure to the farmer what he produces from the soil; to the mechanic what he invents and makes; to the thinker the right to express his thought."

But it is to the court room, rather than to the halls of legislation that the citizen will turn for the preservation of this liberty. In the just judgment of our courts will the sacredness of his valid contracts be inviolate; his rights of property, whether of labor or capital, secure. He will find in them a full protection to his personal liberty, but no encouragement for license to violate law. The liberty of the citizen, maintained by the courts, which shall sit in this building, will be that which is under law, and regulated and upheld by law.

Here will be respected, as it has been in the past, the unwritten law. Not the one, so called, that would shield the criminal from the just punishment of crime, but the law that enters into every business transaction, and which no legislator or statesman has ever had the abillity to fully write in the words of constitutions or statutes.

It needs no palatial building or costly edifice wherein its judgments may be pronounced. Its home is in the human breast. Its domain is conscience. In its operation the individual is, at once, the legislative, judicial and executive authority.

It is the law of prudence; of economy; of business integrity and commercial honor; of square dealing between man and man. It may be difficult or impossible for judge or attorney to interpret and declare what this law should

be, but there is a serious defect in the education of head and heart, of any citizen who, in the given case, is unable to correctly determine what it is, or what it is not.

When distrust prevails, and confidence is destroyed; when business men do violence to the dictates of common honesty; when public officials betray their trusts; when layman and lawyer use their ingenuity and ability in efforts to keep within the letter of statutes, while wholly disregarding their spirit, it is but evidence of the violation of this unwritten law. When "cofidence is restored" and "normal conditions resumed," (to use expressions recently somewhat common,) it is evidence, as well, that this law of conscience is being obeyed.

In this new home of the Department of Justice, and in this presence, I pay my feeble tribute to the unwritten law of business. Its general observance would lighten the labors of judges, and bring to the courts of error and appeal shorter records, briefs and arguments, and undoubtedly result in shorter opinions.

But, notwithstanding all that may be hoped for, and all that may be done, in the lines of reforms of practice, and better and more conscientious methods of business, the work of the courts will be greatly augmented in the future.

We cannot shut our eyes to what has come in the past three decades. We ought not to be insesible to present conditions, nor to what may be reasonably expected hereafter.

Important and serious questions are before the people. The increase of wealth has been unprecedented. Its aggregation and concentration, in comparatively few hands, have been great. The population of our cities has increased beyond expectation. The army of wage earners and salaried employes, is constantly growing in num-

bers. The great bulk of the distribution of the products of labor is no longer in individual control or management.

The relations between capital and labor are daily becoming graver and more delicate. The charity of the state, in behalf of its unfortunate and needy wards will be more heavily taxed. Parental government will be more in demand as the years go by, as it ever has been since government was established among men. The legislative authority will be more frequently called upon to invade individual rights of liberty and property, under the guise of a proper exercise of the police powers of the state. Bureaus and boards of commissioners for the administration, not merely of charities, but of law, will increase in numbers. Judicial power, which legislatures may not grant, will be given to them, in some cases, by statute; in others, powers which are not given and which they cannot legally have, will be assumed, and by them attempted to be exercised. This is perhaps human nature; it is, at least, history.

It may be asked: In view of changing conditions and circumstances, that can neither be altogether anticipated, nor provided for in advance, but which are sure to come: In view of hasty, inconsiderate and unconstitutional legislation, the creature of times of excitement, unrest and prejudice; where rests the safety and security of the individual citizen, the natural or artificial person? The answer is: In the courts. The confidence of the people in judges which, for a half century, they, themselves, have chosen, have not been misplaced. It will not be lost.

No citizen, under the elective judiciary, with the common law writ of error, and the statutory right of appeal, need have apprehension or fear, that the judicial power of the state will be wrongly, improperly or oppressively exercised.

77 ILLINOIS STATE HISTORICAL LIBRARY
OLD STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706

And now in conclusion of remarks, already too long extended, may I not be permitted, in the name and on behalf of the Illinois State Bar Association, to congratulate this audience and the people of the State, not only upon the completion and occupancy of this building, but also that its care and control has been vested, by law, in the Supreme Court? In custody of such safe and honorable hands, may it permanently remain, a monument of inspiration to citizens who would "honor our constitution and conscientiously obey the laws of the land."

May it never be a sheltering place for anarchy, nor may any, who would take the law in their own hands to redress real or fancied wrongs, find here, either countenance, approval or justification.

May it long stand, in mute condemnation of those who seek license rather than liberty; of the violence of the mob, and of every species of force not permissible or authorized by law.

THE LAW SCHOOL OF LONG AGO

Mr. Toast Master and Gentlemen:

My presence here is perhaps due to the fact that I happen to be one of the Alumni of the North Western University Law School of the old University of Chicago.

The year of the graduation of the class, of which I was a member, has been mentioned by gentlemen known to be accurate on dates. There must be some mistake here. Those bygone days, hardly seem so far away. To avoid the unnecessary giving away the ages of some elderly gentlemen present, as well as my own, let me speak of conditions, rather than to go into particular dates.

Chicago then was a thriving city, with a population, according to the last preceding Federal census, reinforced by estimates of real estate men, of 115 to 120 thousand people. It was a progressive city. Although the anticipations of great and rapid growth, and the spirit of development and annexation, were not so manifest as in later years, Chicago was then engaged in the herculean enterprise of lifting itself out of the mud, and placing the entire city on the present grade—12 feet or more above the original site.

The state courts of record—four in number—with one judge for each, held their sessions about where they do now. The court house was in the center of the square, occupying, perhaps, one fourth of its entire area. John Robinson's circus had winter headquarters on the vacant ground, along Washington street immediately south of the "Temple of Justice." McVicker's was Chicago's real theatre. Both these places of amusement were patronized

by members of the law class, to the extent permitted by the cash assets of each.

The waters of Lake Michigan extended west of the tracks of the I. C. R. R. to the east line of Michigan Avenue north of 12th Street. Where the "Lake Front" really was; whether the city, the railroad companies, the state, Captain Streeter, or the abutting lot owners owned it, or had rights therein, were questions undetermined by city ordinance, Act of General Assembly or decision of courts.

That Law School of Long Ago, held its sessions on the third and uppermost floor of a building, known as the Larmon Block, situated on the north east corner of Clark and Washington Streets. The building had no elevator. That class room had the greatest altitude of any place in Chicago where law was taught, learned, practiced or expounded. There were skyscrapers in the city then as now, but none, except two or three grain elevators, had attained a greater height than four stories. Law offices were all on second floors of buildings. If any were "higher up", they escaped my observation and investigation.

The connection between the "Law School" and the "University" was not apparent except on the day of "Commencement" exercises. These took place in "Bryan Hall" situated on Clark Street, between Washington and Randolph. The law class was accorded the honor of furnishing the valedictorian. He was the lucky member who obtained the majority of the votes of his classmates. Of the character of his address it might be said the same, as of the balance of the program—like the commissions of real estate agents, "usual" and "regular."

CLASS CONTRIBUTIONS TO THE LAW SCHOOL

The class, of which I was a member, numbered about thirty. Some dropped out, having entered during the

year, to add to their general education, and not to prepare for admission to the bar; a couple fell down on the rigid examination immediately prior to commencement day; twenty-four graduated. These graduates were largely "provincials" from "down state;" some as far as lower Egypt. They were ambitious young fellows then—with high hopes of future eminence in their chosen profession. These aspirations of by-gone years, with some became but "ashes of desire", "ashes of roses." Twelve have long since died. Only two are known to be alive. Ten unaccounted—one here.

The class gave to the school prompt attendance at its daily sessions, and earnest attention to the instructors. Each also gave to the school thirty dollars per term (payable in advance). If any one could raise the cash and pay at the beginning of the year, the tuition for the three terms could be had for seventy-five dollars. It is a painful memory that comes to me now: the some who had neither capital nor credit to effect this fifteen dollar saying.

Each member furnished his own text books. They were high priced in those days. So it was that most of those "apprentices" or "learners of the law" obtained places in law offices in the city where they secured the use of books in exchange for copying, office sweeping and running on errands—work since taken over by stenographers, typewriters and the telephone.

CONTRIBUTIONS OF THE SCHOOL TO THE CLASS

The law school gave to the class two magnificent instructors, Hon. Henry Booth and Harvey B. Hurd. Judge Booth was graduate of Yale college and of the law school of Harvard University. He was the finest teacher I ever saw in the front of students; Hurd was up on pleading, especially special pleading. Booth gave no lectures, except

a few at night, during the last term of the year, upon the Statutes of Illinois for the benefit of those who expected to practice in this state. His method of instruction was to assign to the class a portion of the text book, and, the following day, hear it recite, quizzing each member as if he were a school boy. There were three recitations daily. These gentlemen were law partners in a fairly lucrative practice. They had an office on Randolph St., near its corner with Clark. Dr. D. K. Pearsons had desk room in their office, and was industriously at work, accumulating the millions he afterwards gave to colleges.

The class got the common law in that school and nothing but common law pleading besides. No "case law" or "judge made law" was a part of its legal education. Chitty's Blackstone, Chitty on Pleading, Kent's Commentaries, Greenleaf on Evidence, Parsons on Contracts, Washburn on Real Property, and Willard's Equity covered all the text books used. It seemed to be a theory that the law student needed only a thorough knowledge of the common law to begin practice. The lean years, then, so likely to follow admission to the bar, would afford time and opportunity to systematically pursue a line of legal study as applied to such business as clients might be beguiled into placing in our hands.

HOW ADMISSION TO THE BAR WAS SECURED

The old law school had then obtained a reputation for thorough instruction at least in common law, and also common law pleading. Examinations for admission to the bar were then made by a standing committee, as now, and not in open court. At the April Term, 1863, however, a rule was made by the Supreme Court "that a diploma from the law school of the University of Chicago shall be deemed satisfactory evidence that the graduate is sufficiently learned in the law to entitle him to ad-

mission to the bar." Under this rule the diploma we got on commencement day, with a certificate of good moral character from a court of record, and a ten dollar greenback were promptly sent to the clerk and the license, signed by the three judges, came in due time. I doubt whether any one of us ever saw his diploma since it started on that journey.

Prior to this rule, the court had fixed no definite period for legal studies to be pursued. Those level headed judges, Caton, Breese and Walker seemed to have had a theory that admission to the bar should be dependant on what the applicant knew rather than the time he had spent in acquiring the knowledge.

The old class got through the examination in good shape. Some of them did not have over a year's study. Those who entered the practice and got down to business had a fair measure of success.

THE PAST, PRESENT AND FUTURE

What I have already said might be regarded simply as inducement. It might not be amiss to add a few words as to the present and future—conditions to be met by men of this generation and not by those of a former one.

We are certain to have changes in judicial procedure. They will be revolutionary, and revolutions do not go backward. The day of common law pleading is practically past. The distinctions in civil actions is well nigh obliterated, as it ought to be. The "general issue," that "trap" and "pit fall" to catch the unwary lawyer, will no longer trouble him. The "common counts" will be no more his terror by noonday, or his bad dream at night. "Petitions," "complaints," "statements of claims," "bills of particulars," will take the place of "declarations." That good common law word "demurrer" may be expurgated from legal language, and motions to

"strike out" to "make more specific," to require the filing of "amended statements of claim" or "bills of particulars" be substituted therefor. "Pleas" may give place to "answers;" pleadings may become oral—carried on much as here tonight, and in certain class of cases in the municipal court—"by word of mouth."

"Fictions" so far as Illinois law is concerned, disappeared, (except in bar association meetings), before any gentleman here present probably entered into practice. In ejectment they were wiped out by the revision of 1845. "Fictitious parties," "consent rules," "casual ejectors," the John Does and Richard Roes, and the "ex dems," passed out of legal vocabulary with Scammon's reports, sixty years ago.

The alleged fiction in trover; the casual losing of plaintiff's goods, and the finding of them by defendant, was also among the departed ones, long before the old class first assembled. At present those allegations are only retained to be pointed out as a horrible example of an archaic system of pleading. All we ever heard of them from our faithful instructors, was the bare suggestion that they were simply inducement, neither demurrable nor traversable; that the gist of action was the conversion of the goods. With this suggestion came the advice not to present or join in this issue, or in any other immaterial one, lest the result might be that we obtained a verdict from the jury, while our opponent obtained what was much better, a judgment non obstante verdicto from the court.

There are some certainties among the probabilities I have heretofore suggested.

1. Before any case gets to the court or jury for trial, the pleadings, whatever may be their form, or the names they bear, will converge to a point where there is

an affirmation of material facts clearly stated on the one side and a denial on the other.

2. There never has been, there never will be a time when care, industry and ability in pleading or other judicial procedure, will not occupy a higher plane than ignorance, carelessness, sloth and incapacity.

It is in the knowledge and observation of all that pleadings and arguments in our courts are frequently unduly extended causing needless delays—unless human nature is radically changed this cannot be wholly avoided.

The same also happens outside the court room. We, ourselves often listen with enrapt attention to addresses from the pulpit, from the platform, from the stump; sometimes we lose the logic, the eloquence, the diction of the speaker while we find ourselves irresistibly counting the remarkably good quitting places he has unwittingly passed.

Do you suppose that those old begowned and bewigged barristers and sergeants of the formative period of the common law did not have similar experiences? We criticise, and complain. They acted. It was natural with them as to breathe to at once evolve a principle, if not a rule of pleading, which roughly stated is this: When the pleader has clearly stated the material of his case, and none other, in the fewest possible words, without argument, inference or amplification, only one thing more is left for him to do, that is to quit. If he add another word, it is but surplusage which never improves pleading or the after dinner speech. Indeed in matters of essential description, it may be the very fly in the ointment and spoil the whole batch of what otherwise would be good pleading. Besides it is subject to a motion to "strike out," or perhaps demurrer. That word always

means "stop where you are." Mr. Toast Master: I now anticipate and confess your demurrer to anything I might say on this occasion.

Whether on the platform or in the court room he was an attractive and intensely interesting speaker. Among the lawyers of the state he ranked very high. His knowledge of the law was profound, and his ability to apply the law practically to such controversies as arise out of the transaction of business was very great. His preparation for the trial of a cause was thorough and his statement of a case to court or jury clear, concise and correct, never exceeding what the evidence to be given on the trial would sustain. His candor in advising clients commanded universal respect. In argument he was logical and convincing. If his premises were accepted, his conclusions must also be accepted. In the most exciting contests of the court room he was calm, deliberate and under perfect control of all his faculties. Fair to his opponents, yet extremely zealous in defense of the rights of his clients. He was in all respects an honor to the profession which he had in early life chosen for his life work. An example worthy to be copied in the life of all lawyers.

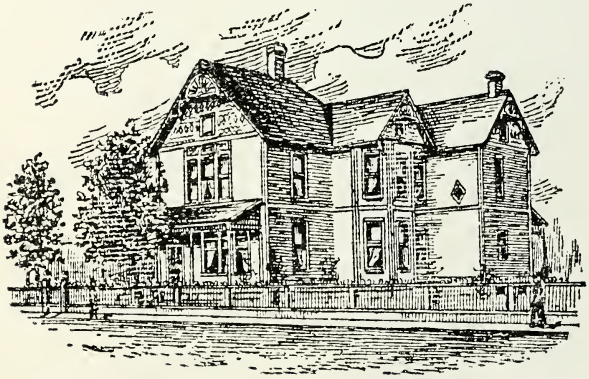
When he became established in a business that gave promise of success in acquiring the means of support for himself and a family, he returned to the home of his boyhood in Pennsylvania and on the 21st day of December, A. D. 1864, was married to Miss Jennie Jewett, his former schoolmate. They returned to Effingham to build the home in which they lived until his death. There he gath-

ered the fruits of his long years of labor, as a lawyer and man of business. This home was the central point, toward which his loving thought ever turned. To build and beautify it was an ambition of his heart. It was the sanctuary into which he entered, when not engaged in the business of his profession, or in the performance of some private or public duty. It was the sanctuary where the divinities of the home, confidence, trust and love, were constantly worshipped for more than half a century. The trees that shaded the lawn were planted by him. The flowers that gladdened the eye with their beauty and scented the air with their fragrant odors were cultivated by his own hands. This home soon became a prominent social center in the city.

Mr. and Mrs. Wood were members of the Methodist Episcopal church when they were married and their devotion to religion and the interest of the church never abated. Their home always had a welcome for the ministers of the church. In Mr. Wood they had an intelligent and faithful counselor. He was a liberal contributor to the building of the church; the maintenance of worship therein and to the various benevolences of the church. His quiet unobtrusive manner of life—his constant devotion to the interests of his city, county and state—his persistent support of all that was just and true in public and in private life marked him as a Christian gentleman and won the respect and confidence of all who knew him.

Public offices were not sought by Mr. Wood. When it came to him unsought, he accepted and conscientiously discharged the duties that came with the office. He was a member of the 28th General Assembly of the State of Illinois. For fifteen years he was a trustee of the Soldier's Orphans Home, and for several years a trustee of the asylum for feeble minded children. He was a mem-

HON. AND MRS. BENSON WOOD.



HOME OF HON. BENSON AND MRS. WOOD.

ber of the Fifty-fourth Congress and during his term never missed a roll call. A new apportionment made the Crongressional District so strongly Democratic as to render his re-election an impossibillity. He was Judge Advocate on the staff of Governor Cullom with the rank of Colonel and a trusted member of the Governor's political family. He was a member of the International Highway Commission. He was Mayor of the city of Effingham. In 1899 he was elected President of the Illinois State Bar Association and discharged the duties of the office with honor to himself and great benefit to the association. He was a delegate to three Republican National Conventions. Many private trusts arose out of his business as a lawyer and banker, all of which were faithfully and successfully kept and performed.

The current of the years flowed swiftly on bringing prosperity, comfort and happiness to the Wood home. When the passing years numbered fifty the Golden Wedding day came and was duly observed. The Effingham Republican of that date made the following record of its observance:

> "The home of Hon. and Mrs. Benson Wood, on 351 South Third street, in this city was the scene on Monday, December 21st, of one of the most social and enjoyable gatherings marking an event in the lives of one of the most prominent and highly respected and greatly honored couple in this part of the State of Illinois.
>
> "This was the occurrence of the Golden or 50th Wedding Anniversary of this couple who have marched together hand in hand with hearts pulsing as one, along the journey of life. Fifty years or five decades have flown while Mr. and Mrs. Wood have been treading the pathway of life, of which there remain many fond memories with some occasions of heart aches. Fifty years of wedded life without a broken link in the chain of life by death or otherwise falls to the lot of few men and women, but this honored couple, who have lived quiet, useful and honorable lives have reached the goal that so many in wedded life fall short of, falling by the wayside.
>
> "This noted couple were born in the old State of Pennsylvania. Benson Wood came to life March 31, 1839, and his estimable wife at a later period. Soon after their marriage they

came west to find new friends and form new relations in life. They located in Effingham when it was only a village and they have seen it adavnce from that state to that of a city of near five thousand people, and during all that time Mr. and Mrs. Wood have grown in the estimation of their friends and acquaintances, in wealth and in happiness, arriving at a ripe age just at the moment of the occurrence of the greatest happenings on land and sea that have ever been witnessed by the world.

"On this occasion numerous neighbors and friends dropped in to bid this honored couple godspeed on their journey of wedded life. They found Mr. and Mrs. Wood ready and rejoicing to receive them and make them feel at home in their cosy residence over on Third street. The decorations of the entire Wood home on this occasion were profuse and the flowers were lovely. In this home were many things to remind the comers of the wedded period of fifty years ago, Mrs. Wood appearing in a plaid dress which she wore some fifty years ago, the cameo earrings and breast pin which she wore when the wedding took place. On this occasion were present a brother and sister to Mrs. Wood, Fred Jewett and Mrs. Gertrude Bardwell, who acted as best man and maid when the words were said that joined Benson Wood and Jennie A. Jewett as man and wife.

"The immense amount of flowers presented by the Effingham attorneys, the Relief Corps and other societies of the city were simply grand.

"Letters and telegrams from all parts of the country, from congressmen and other prominent persons and old friends have been coming for several days, regretting their absence and extending their congratulations on their having safely reached their fiftieth anniversary.

"This was one of the most enjoyable Golden Wedding Anniversaries ever celebrated in this city and perhaps there were letters of regret and congratulations from more prominent and distinguished people than is usual. Mr. Wood's services as a congressman and as a soldier in the Civil War have given him a wide acquaintance among people all over the country. His record as a leading lawyer of this city has also contributed much to widen his acquaintance with the people."

The life of Benson Wood was a busy one. Besides his very extensive law practice and the private trusts and public duties confided to him, his love of literature was extensively gratified, and his interest in education often called him into the schools as a speaker. The following is one of the special addresses delivered by him:

PUBLIC SCHOOLS CELEBRATION ADDRESS

FARINA, ILLINOIS, JULY 4, 1914

By way of explanation rather than apology, I must be permitted to say that more than a third of a century has passed since I attempted to make any remarks to the pupils of a public school, or upon educational subjects. My last appearance upon an occasion like this was in June 1861. It was the last day of six years of my life as a teacher. I have never seen a common school in session from that day. The transition from the business of a teacher to that of a soldier was abrupt, the change from the life in the school room, to that of the army was great. The return of peace, while not affecting my interest in the growth and success of our common school system, yet brought no desire to return to the old life. Hence I appear before you tonight as a teacher who has come down from a former generation, with no experience, and little knowledge of the school ways and methods of the present day.

Some of my friends who perhaps foresaw the difficulties I would labor under tonight, have kindly suggested that the theme of my remarks should be Abraham Lincoln.

A great deal has been said of this greatest of Americans. Almost every phase of his life has been the subject of speech or writing. His public life will always be of the greatest interest to the patriotic citizen. But what ought to engage most the attention of young men

and women—the graduates and pupils of our schools, is his private life. Of that principally I would speak.

Lincoln was born in 1809. We cannot realize—even the oldest of us—the conditions of that day. There were no railroads, or telegraphs or telephones. No electric lights, or percussion caps, or matches. The reaper, the sewing machine, the twine binder, the electric car, the typewriter, and as a consequence the typewriter girl were all in the undreamed of possibilities of the future. Books and newspapers were scarce and expensive. There was no common school system in the west or south. Teachers were not plenty, and the few who followed that profession were not endowed with the best qualifications. Compared with the present, all the people were poor. The wealth of the wealthiest then would hardly be sufficient to entitle its possessor, at the present day, to take a place among men of moderate circumstances.

It was in such a time Mr. Lincoln was born in a Kentucky cabin, in what was then Hardin, but is now Larue county. To add to the unfavorable conditions of his early life, Kentucky was a slave state. His father was not merely poor, he was a "pore white," compelled to labor with his hands, as did the slaves, for the support of himself and family. The entrance into the best society was shut against him and his children. The "pore whites" in the south, during the days of slavery, were looked down upon, even by the negro slaves.

Lincoln lived in Kentucky the first seven years of his life. He attended school very brief periods from the age of five or six years and learned to read. In 1816 his father decided to remove to Indiana. Strange as it may appear this resolution was in no wise affected by the institution of slavery in Kentucky. Thomas Lincoln, the father, seemed to have no conscientious scruples on that

subject. He was poor—he had no land—only a claim, which he seemed unable to perfect into a good title. He was shut out of good society because he was too poor to be a slave holder. If he had been rich enough to have owned one negro, I doubt not he would have remained in Kentucky, and another hand than that of his son would have penned the proclamation that gave freedom to a race.

The father was a clever, ne'er-do-well, inefficient sort of a man—always somewhat discontented with his surroundings, and disposed to a pioneer life with its necessary changes of location. So it was only natural that in 1816 he sold out his claim and cabin, receiving therefor ten barrels of whiskey and twenty dollars in money.

And here we must not criticise him too harshly. His day and generation were not ours, and his way was not our way. Public opinion at that time was not as it is in the present. People had been educated up to his time, for hundreds of years, to regard the conversion of grain or fruit into intoxicating liquor as of no more harm than into flour or meal; to buy and sell whiskey was of no more sin than to buy and sell a horse, a calf or a slave. Good morals did not prescribe the making, selling, or drinking of whiskey, in Lincoln's boyhood days.

Perhaps it ought to be stated that there is a well authenticated tradition that the greater part of those ten barrels of whiskey was lost in the journey from Kentucky to Indiana. The flat boat was upset; the household goods and the greater part of the liquor went into the river, and was not recovered. It is quite well understood that among the good people who live immediately south of the Ohio, that there is an antipathy to water, and especially to the admixture of water with whisky. Thomas Lincoln was a Kentuckian with some traits that that

name implies and doubtless felt a deep disgust, not only on account of his loss, but because his good liquor had been diluted with so much Ohio River water.

The life of the Lincolns in Indiana was much as it was in Kentucky. They amassed no more property. The real estate possession of the father was the same in both states—a squatter's claim. The schools were little, if any, better—the opportunity for books about the same. Poverty attended the family in each place of its residence. The diseases incident to a new country were its lot. The mother, the strong character in the family, died after two years of hardship and privation in a new country. Her place was taken a year after by a step-mother, who seems to have been a good and true woman. In the height of his career, Mr. Lincoln was accustomed to speak in the highest terms of her who became his second mother. Fourteen years, from 1816 to 1830, were spent by Lincoln in Indiana. Abraham has become twenty-one years of age. He could "read, write and cipher." He had read all the books the family had, and all that he could borrow in the neighborhood. These were very few. The Bible and Aesop's Fables were the two favorites. Upon them he had spent the most time. It is said he could repeat much of the former, and all of the latter. The Life of Washington, and Henry Clay, the Life of Franklin and Pilgrims Progress comprised the balance of his reading. He had no knowledge of grammar. That was obtained thereafter by hard work and without the aid of a teacher. It must have been a knowledge most thorough, for no American of the century ever constructed sentences more correct or made use of choicer English or selected more appropriate words to express, not only his thoughts, but the thought of the common mind, than he.

In 1830 the father Thomas Lincoln, again sold out his "claim" and with his family came to Illinois. Their route was first north to Washington, Indiana, thence to Vincennes, thence to Lawrenceville, Illinois, and thence north and northwest to Sangamon county. The journey occupied nearly three weeks. There would be much complaint at this time if the railroads should fail to transport a passenger between the same points in a single day.

Lincoln helped to get his father started in Illinois. He worked in building the log cabin and stable. He split rails and fenced in ten acres for a corn field. He helped to build the smoke house and "paled in" the garden. Then he started out in life for himself, but from time to time assisted his father as long as he lived.

His employments thenceforth were various. He made a trip to New Orleans on a flat boat—he was clerk in a country store—he went out as a soldier in the Black Hawk War—he learned the art of surveying without a teacher, and did some work under the County Surveyor. The thoroughness of his education here, and the fidelity of his work is attested to this day. The accuracy of his surveys has never been called in question. He lost his compass and chain on an execution issued to collect a debt for which he was security. He was postmaster at an office of so small importance that he often carried the letters in his hat. He ceased to be a Federal office holder by the discontinuance of his office. He was a merchant, and had a partner. The enterprise failed, not because he failed, but because the partner was dissipated and "trifling." It took Mr. Lincoln six years to pay his own, his partner's and the firms debts. But they were paid to the last penny. In the few positions of trust

which he filled, he never used any man's money but his own.

At one time he had thought of learning the trade of a blacksmith. He finally became a lawyer. For this occasion, that is a good place to end his history. What we are concerned with here is to enquire what influence his life, so far, should have on the life of young people.

There is not a boy or girl attending the public school of Farina the past year, who has not had a better chance so far, than Mr. Lincoln at the same age. No one whose parents have been poorer; none who had not had the opportunity of reading more, and with one exception, better books. None who has not been in better schools. Each one here, or in the village has had better advantages in society; all have been better clad and have eaten richer food. There were good people in his day, and there were the idle, the vicious and the criminal. The same is true now. He was among men who had vices, and unfortunately there is some vice and immorality in Fayette county at the present time. But he never acquired the vice which surrounded him and in that respect, the young people of this community can keep themselves as free, and uncontaminated as did he. He sought the best society in the community, and there each one here may be as great and as successful as a Lincoln. He was faithful in the discharge of the small duties which came to him. Each one can discharge his duties, as they are placed upon him, with the same fidelity as he did. You can do the best under the circumstances surrounding you. Lincoln never did more. When one has conscientiously and intelligently performed the work he has been called to do; when he has brought into exercise his best abilities, it matters not with what success, he has done his duty, and that is

all that Lincoln ever did. More than that he never attempted.

It may be thought he had great opportunities. That is true. But what were they? As a boy he could become a dutiful and obedient son. As a young man he could be industrious, and a help to his parents. As a pupil he could get all of advantage there was in the school he attended. As a person of moral responsibility, he could seek the best society, and avoid corrupting influences. As a student he could thoroughly and intelligently read the best books within his reach, and understand their contents. As a citizen he could take up and discharge such duties as are laid on those who walk the private pathways of life. As a public officer, he could fearlessly meet responsibilities, and bring to the discharge of official duties the best abilities he possessed. These were all the opportunities he ever had. They were certainly great, but what person of sound mind and body is there, who has less.

All these things Lincoln did, and did well. What was his success. It is said that he was a good boy—a bright scholar; a young man who honored not his parents, but their memory; that he understood and knew the thought of the authors of the books he read; that he was a good citizen; an honest lawyer, and an incorruptible public servant in all the positions he filled, small and great. I doubt not he would have made a good blacksmith—have done honest work, and in that humble position been an example of intelligent citizenship.

As deputy county surveyor, he brought to the discharge of the duties of that position his best ability. He did no more as President, or a Commander-in-Chief of the armies of the Republic, in the time of a great war. As clerk in a country store, as postmaster, as lawyer, as citizen, as soldier in an Indian war, as Member of Congress,

as President, Lincoln never attempted anything except to "do the right as God gave him to see the right." For that reason he was successful—not in every effort, but success always came in the right time.

If I am correct thus far, and I appeal to history as my authority, it would seem that the opportunities Lincoln had when a boy, are the same as those of the boys and young men of Farina. The only difference it seems to me, is that the boys here have better advantages, and ought to be better equipped to meet their duties and responsibilities. It is true they cannot live in Lincoln's day, but they are living in better times. They may none of them be Presidents, or ever hold any office, but they can be intelligent and patriotic citizens. If any one should get no higher than street commissioner or school director, and in that position should bring honesty, intelligence and capacity to the discharge of his duties he would be doing all that Lincoln ever did while filling the highest position in the gift of the people.

Occasionally in the world's history, great characters are needed. Providence and destiny never makes mistakes. If the demand is for an Abraham Lincoln, a John Tyler is never called. If the need of the hour is a Grant, a Benedict Arnold never receives the summons. Nor is any mistake ever made in the community to which the call comes. It takes a David from the sheep pasture; a Cincinnatus from the plow; a Washington from the farm; a Grant from the leather store; a Lincoln from the country law office. Strange as it may appear most of the strong characters in the world's history are drawn from rural life. They rarely come from the large cities, or from the wealthy or highly educated classes. One other truth is proved by history. The call, whether to prince or peasant —to the refined or uneducated—to city or country, never

fails to obtain a prompt response. It is never sounded without answer. When "a faithful priest" was sorely needed in Israel, the call was to a boy. He was too young and inexperienced to even apprehend whence the voice came, but you recollect how quick and cheery came the response, "Here am I." And when instructed as to the source and the authority of the call, there was no halting, but again came the ready answer, "Speak for they servant heareth."

When a man was needed more than a generation ago, upon whose shoulders the burden of government was to be laid, in whose heart the griefs of a nation were to be borne during years of a terrible war, the born and educated statesman was not sought. There were Adamses and Sumners in Massachusetts; Sewards and Greeleys in New York; Chases in Ohio; Camerons in Pennsylvania; and Crittendens in Kentucky; but the eyes of the country turned to none of them. The man was found in what was then a country village, and in the person of a country lawyer. He was found ready. He was prepared for the work—not in colleges or seminaries—but in the barrens of Kentucky; in the forests of Indiana; in the prairies of Illinois. He was educated for the position, not through the instrumentality of teachers, or college professors, but by association with the common people. He was chosen because the people knew he had been faithful in the few things before committed to him. He was made ruler over a mighty people. He became the emancipator of a race. His name was permitted to go into unperishable history along with the great names of earth. He has the proudest monument of any—"The broken fetters of a slave."

Will the nation ever send a call to this good village of Farina? Once it did. It came to a young man in the old frieght house. The country said to him "I have need

of thee." It was no great or exalted position at first—only the captain of a company of raw militia in the three months service. But duty there was well done, and the colonelcy of a regiment, the command of a brigade and the general of a division quickly followed.

Will the call ever come again to the young men of this community? I think so. I can even hear it now. Not perhaps for them to take a place as a general, or a senator or governor or president. Perhaps not to occupy any public or official position. But the state and the nation are needing now, as much as ever before, men and women. It needs good and true men, and good and sensible women, not so much in congress or in society, or on the lecture platform, as in the home, and in the community. The country needs good citizenship. It needs duties performed in the private walks of life, with the fidelity that Washington, Lincoln and Grant brought to the discharge of public duties. It needs good farmers, mechanics, clerks and laborers more than candidates for office. These latter can be found in abundance, and almost anywhere. An ordinary sized convention or mass meeting will furnish enough, from constable to congressman, to supply a community for five years. But the avenues to places of more honor, where the ordinary duties which pertain to good citizenship are conscientiously and capably performed, are not crowded.

And this may be the lot of the boys and girls, the young men and young women, who have attended the Farina public school the last year. There may be some hardship to be borne. The way may seem sometimes to be rough and crooked, but the time will come when it will be smooth and level. The reward may not be great; it may seem slow in coming; indeed it may not come in this life. But in the Great Beyond, when unseen yourselves,

yet seeing all things here, the spectacle of good, true and intelligent men and women rising up and calling your names and your memories blessed, is beheld, then you will know that duty well and faithfully done never fails to receive its recompense.

On the fourth day of July, 1903, he addressed the Sons of Veterans at Mason, Illinois. He discussed the life and character of Abraham Lincoln and contrasted the conditions of his early life, the disadvantages and want of opportunities to obtain an education, with the benefits and opportunities enjoyed by the young men of the present time. Mr. Lincoln by intelligence and industry became a master of the English language and for the practical purposes of life one of the best educated men of the age in which he lived. His example should be an inspiration to the young men of America.

ADDRESS AT REUNION OF OLD SETTLERS OF STEPHENSON COUNTY

AT CEDARVILLE, AUGUST 31, 1910

One who goes a long distance from home to talk at an Old Settlers' picnic is apt to labor under considerable embarrassment. He knows little or nothing of local events, or of people. General matters are not very interesting in this reading age. It might be said of them that the history of the early settlement of all the counties of Illinois can be told in about the same words. It is the story of hardship, toil and privation—of economy, industry and success—of good citizenship and patriotism, in peace as well as in war.

AUGUST 31, 1859

It is hardly to be supposed that this day of your meeting was selected because it was anybody's anniversary. It, however, happens to be one with me. On August 31st, 1859, I was in this good county of Stephenson. It was my first day in Illinois. A very early hour in the morning brought me to Freeport. I tied up at the Old Pennsylvania house for lodging; some efforts more recently made to locate the old site and building were attended with some success; only it seems farther from the depot than formerly.

My stay in the county was brief, for I had neither relatives, nor even acquaintances in the state. It was, however, my legal residence for the time being, if indeed I had any. It is certain I had none elsewhere. Since that day I have been a citizen of Illinois, and have never desired to be one of any other state.

Memory does not recall much that was then going on in Freeport. There was talk of a state fair that had been, or was soon to be, held; also talk of a great political discussion of the year previous, between those giants in debate, Lincoln and Douglas. The block was pointed out to me as the spot where it took place. It does not look now as it did then. Somebody has been building many good houses in that neighborhood. I imagine that few, if any, of the vast audience then present, had a thought that one of those men the awkward and somewhat homely country lawyer, who dealt in the severe logic and plain sledge-hammer argument of the hustings, would, within the next six years, be classed as a polished orator, or that an impromptu address, on a great battlefield of a few moments' length, would be recognized as a gem in literature, to be remembered throughout the civilized world, so long as the English language should be spoken or written. Certainly it did not occur to me that within two years, I, myself would be an enlisted soldier in the army of which he, as President of United States, would be the commander in chief.

It could not be presumed that any of the few here today, who were present then, had a thought that in the seven ensuing years, Stephenson county would put 3,000 of its young men into the army, to fight in a bloody war over principles only contended for before in debate or news paper discussion.

MEN OF STEPHENSON COUNTY

It was not my fortune, in the next three years after my entry in this county, to meet many of its citizens. Their record, as known to me, was elsewhere made. Some we met in the early morning of April 7th, 1862, at Pittsburgh Landing, Tenn., after the hard march of more than

thirty miles the previous day and night. They were the "boys" of the 11th, the 15th, and the 46th regiments, in which your county was so largely and bravely represented. We did not have the time, just then to make acquaintances, or exchange courtesies. Our real destination was the Shiloh church, some two and a half miles distant, which we reached late in the afternoon, with one-fourth of the regiment killed and wounded. Some of our slightly wounded we found, the dark rainy night after the second day's battle, in the camp of the 15th, mostly in the quarters of Co. E of that regiment. There, and afterwards we learned many of the particulars of the first day's conflict:—Of the death of Col. Ellis and Major Goddard, and many other officers and men of the 15th;—of the wounding of Ransom of the 11th, the death of Capt. Stevens and others, and the wounding of Col. Davis and Major Dornblaser, and many others of the 46th.

Late in the fall of 1862, and the early spring and summer of 1863, we occasionally got sight of other Stephenson county people down in Kentucky and Tennessee. They were the 92nd regiment, and at first seemed to be doing the "hot foot" act after the rebel cavalry of Morgan, Wheeler and Forest, and also splendid fighting as they went along. They afterwards fairly well sustained the reputation of your people for activity, and especially for enterprise in finding and bringing into camp enough "secesh" horses and mules to nearly outfit a whole brigade of mounted infantry, and enough "contrabands" to make up a good-sized colored regiment. Thereafter those boys did little walking. We heard of them often from the front, where the fighting was good, and foraging attended with better results than back in the column where we were.

This county may well be proud of the imperishable history which its young men helped to make in the days of the great war. "Where are the boys of the old brigades" now? Some are still with you. Some have gone to bear a part in the "Westward Course of Empire." Some rest in your cemeteries and graveyards. Some have long been sleeping on battlefields, in National cemeteries. If the true measure of life is in deeds and not in words; in acomplishments and not in years; in a good influence left behind, rather than accumulations of wealth—may be not consider that they still live? Might I not appropriately use another's words, and say:

"The men who in the conflict led;
And for their country fought and bled,
Though passing on, are never dead."

The descendants of many are with you yet. The heroic example of all is not lost. Some boy and girl born in this county a half century hence will be the better man or woman because of the influence of the lives of these heroes of the Republic.

OTHER MEN OF STEPHENSON COUNTY

It was my pleasure to meet, in the few years following the peace of Appomattox, other distinguished citizens of your county. Among them was that magnificent Senator, John H. Adams; those faithful legislators, James S. Taggart, Edward L. Cronkrite, Michael Stoskopf; that just and impartial judge, Joseph M. Bailey; that able statesman, Horatio C. Burchard, whose name was honored in Illinois, and far beyond its boundaries. They, and others whose names do not now occur to me, were wise in councils of state and nation. I could pay no higher tribute to any who may be living, or to the memory of the

dead, than to say that, in capacity, in ability, in integrity, they were wholly unlike some members of the present general assembly, chosen from other parts of the state.

A HALF CENTURY AGO

Illinois had a population of 1,700,000 people. About one-seventeenth were in the city of Chicago. Stephenson county had about 25,000, slightly in excess of that of any of the northern tier of counties. There was a considerable amount of unbroken and unfenced prairie. Quail and prairie chickens abounded in almost innumberable quantities. There were no game wardens—no "rabbit shepherds." Of the less than 30,000 miles of railroad, then in the United States, the county had its full share, as it now has of the 230,000 miles. The Illinois Central was here, or partly here, doing business at the old site. There was no Chicago, Milwaukee & St. Paul, but the Racine & Mississippi was running on about the same right of way. This road was somewhat distinguished for slow time, a rather rough track, an occasional car in the ditch, and more particularly for not reaching the Mississippi river at all. It stopped at Freeport, awaiting the hoped for better times, after the effects of the 1857 panic had passed away.

The Chicago & Northwestern Company, with its system of nearly 10,000 miles, had not been born. It was a creation of subsequent years. The Galena & Chicago Union, one of its many parents, or rather of its adopted children, was in the county. This was certainly a Union road; true to name, with a single track of thirty miles from Chicago to Turner Junction. (Don't they call that West Chicago now?) There, one branch ran to Freeport, not to Galena. Freeport at that time, seemed to be a good halting place for railroads, as well as for newcomers. The other branch extended westwardly through Geneva, De

Kalb, Lane Station, Ogle Station, (perhaps some of the younger people now call those two thriving places "Rochelle" and "Ashton") Dixon, Sterling and Morrison, to Fulton, the terminus, where passengers could ferry over the river in summer, or cross on the ice in winter, and take the Chicago, Iowa and Nebraska to Marshalltown, and walk the balance of the way to Nebraska.

About the middle of May, 1860, something new occured on the southern branch of the Galena & Chicago Union. Word came along, by wire, that a whole train of passenger cars loaded with people had been bodily ferried across the Mississippi from Clinton to Fulton, and would be along in due time. Nearly everybody was at the stations to see the sight. The cars came as promised, each coach bearing the words "Chicago, Iowa and Nebraska R. R." They were crowded with good-natured, enthusiastic, orderly, but somewhat noisy people of Iowa. To inquiries made at every stopping place as to their destination and business, there was the one response, "Going to Chicago to nominate Abe Lincoln for President." And they did.

MONEY OF OLD TIMES

In 1859, the money, or rather the specie, in circulation consisted of a little gold and many fractional silver coins.

The silver dollar, the "dollar of the fathers," was practically unknown, except to some old fellow who kept one as a pocket piece, and often exhibited as a souvenir. It was of proportionally greater weight than the smaller coins, and hence of a greater value. It had disappeared as a circulating medium, under that immutable law, that the poorer takes the place of the better money. The balance of what was used in business transactions consisted of state bank bills, irreverently known as "wild cat,"

"stump tail" and "red dog." They now might be properly termed "asset currency." Perhaps few years ago "fiat money" would have been the better name. Each bill was not stamped "This is a dollar," or "This is five dollars," but the statute authorized the issue "to circulate the same as money according to the ordinary course of banking business."

Undoubtedly, Stephenson county had then one or more banks of "deposit and discount," but it was too accessible for one of "issue and redemption." The state, especially the southern portion of it, had a multitude of banks of issue. These were generally located in out of the way places, remote from railroads, or even stage routes. Auditor's reports of those times contain interesting figures. They give the simple story of one bank, a fair sample of the whole, whose home was in a little hamlet in lower Egypt, long since disappeared from the map. It had a circulation of $239,000 and specie to redeem its bills of $500! Something happened in 1861; something is always apt to happen in finance. At the beginning of that year $12,000,000 of these bills were in circulation. Merchants, and indeed everybody else who did much business, were equipped, each, with "Thompson's Bank Note Detector,"—a big book of the size of an official railroad guide, and which needed revision much more frequently. It was a necessity to determine the good, indifferent and bad bills, and the per cent of discount on them. The entire circulation was secured by a deposit of state bonds with the auditor. More than half of these were bonds of southern states which went into rebellion. One-fourth were of border states partially in rebellion. The securites rapidly depreciated, and, for the purposes needed, became practically worthless. The bills went down with the bonds. The country was then entering the most critical

period of its history—on the eve of great events. Our people had no time to fix responsibilities, or to look around and see by whom, or how hard they had been hit. They pocketed a loss which went up into the millions. Two hundred and fifteen thousand of the citizens of Illinois went out to fight under the old flag, for four long years, that their government might not "perish from the earth," and meanwhile to forget all they ever knew about banking and currency.

RETURN OF OLD SOLDIERS

Have you ever noticed that at "Old Settlers' Meetings" in all our counties, some one turns up who has long been away? Sometimes he comes back, wearing smiles which success has given him. Sometimes, like the prodigal, bearing evidences of failure to "make good." Measures, issues, questions and propositions, are not unlike human beings. They come around again and again, but, not being necessarily subject to death, like humanity, people are apt to regard them as something new. Pardon me for some allusion to these "old settlers."

Recently you have, perhaps, seen in our dailies a list of reform or progressive measures that are promised to come up before the next general assembly. One, a bill of 1,368 pages upon one subject, accompanied by a synopsis of over 100 pages, has already been prepared. These measures are said to be new, but are they really late comers, or old schemes that have "come back" again? Among them are Initiative, Referendum and Recall.

The old banking system, of which mention has been made, was "Initiated," not by bankers, but by a lot of "get rich quick" speculators, who are always coming around again. The act was passed over the veto of Gov. French. Under the constitution it had to be submitted to

the people at the very next general election, for approval. There was no general election that year. But our statesmen in the legislature wanted no delay. The people would get, under the system, plenty of currency. The owners of the banks would realize 30 per cent annually on their investment, without any trouble or expense of management of business. So they proceeded to legislate out of office certain county officials; that is to say, they "recalled" them, and then provided a general election to fill the vacancies, and vote on the banking law at the same time. The people approved the act by a "referendum" vote. Perhaps, it did not occur to them from whose pockets the expected profits were to come. Eventually they found out. A prohibitory liquor law was defeated in 1855 by a "referendum" vote.

RECALL

Recall is a propostion, not a stranger in Illinois. Every constitution under which we have lived has recognized the right of the people, through their representatives in the general assembly, to impeach their governors and judges, indeed all civil officers, and remove, or rather "recall" them from official positions. The legislatures have always been the sole judges of the qualifications of their own members, with the power to expell. All three of our constitutions gave the general assembly authority, by address, to remove any judge from office for reasonable cause, and without appeal. The constitution of 1870 fixed two years as the term of county treasurers, sheriffs and coroners, at the end of which time they were automatically "recalled." But this matter was around again in 1880. People didn't like so frequent changes, and by a "referendum" vote, altered the constitution and made the term of these offices four

years, thereby extending the time of "recall" two years. In passing it may be added the sheriffs in their recent convention at Springfield, desired to further abridge the recall by making themselves eligible to re-election; also, that any officer appointed by the governor is subject to removal by him, at any time, and all other civil officers can at any time be removed by the courts, on conviction of malfeasance of misdemeanor in office.

MINORITY REPRESENTATION

This is another old settler. It was "initiated" by the people through their chosen representatives, sitting in a very non-partisan body—the constitutional convention of 1870. It was a child of great promise. It was believed that it would enable the people, especially in the large cities, to keep the "scalywag" out of the lower house of the legislature. But the experience of forty years has taught that "undesirable citizens" can plump their votes as strongly, and as successfully, as the better element. Perhaps the people ought to have forseen what might occur. Nevertheless they adopted it, not under the name of "referendum," but "submission as a separate question," which is the same thing.

CENTRAL BANK OF ISSUE AND REDEMPTION

This old timer was in the country more than 75 years ago—known then as "The United States Bank with Branches." It was supposed to have met its death under the assaults of Andrew Jackson. But like the animal of nine lives, it shortly reappeared in this State under the name of the Bank of the State of Illinois with Branches. It was not then known by name as "Central Bank of Issue and Redemption;" it was called "The Principal Bank at the State Capital," but substantially

the same thing. The scheme seems to still live. It is a subject of discussion among financiers, and will be before congress again, as it has been the past two years. Another supposedly new proposition is that of

GOVERNMENT BY COMMISSION

This is not a late comer. It has been the guest, from time to time, of the general assembly, and of every county in the state. The time seems to have come, or is soon coming, when commissions and bureaus, with high salaried secretaries and other employes, will have much to do with government. The time once was when the business pertaining to town, road and county affairs was done by three commissioners; when we had precincts instead of towns. The constitution of 1848 authorized the legislature to estabilsh township organization for each county, but only to take effect when such county might adopt the plan. This was sure enough "referendum." Under the theory of home rule, and also that two commissioners, (a majority,) might be more easily, and improperly, influenced than six or twelve men, (a majority of the board of supervisors,) this sort of commission government has disappeared, except in a very few of the smaller and non-adopting counties. It is now back again and clamorous to be applied to cities and villages. In this connection it can truthfully be said that this scheme has been applied, in all its fullness, to at least one of our counties. By a special act, a large county was once divided into five supervisorial districts, and an officer, in each, elected to manage all county affairs. It hardly need be added, that the people of that municipality soon tired of that sort of government, and now have a full, healthy board of supervisors. Further, under our laws, one-fifth the legal voters of any county may

still initiate "commission government" and in less than one year, if approved by the majority "recall" all the town officials and be governed by a commission of three county commissioners.

Another of the measures that is promised to be urged upon the next legislature is known as

NAVIGABLE RIVERS AND WATERWAYS

This bears the burden of many years. It has been called by such names as "Canals," "Locks and Dams," "Rivers and Internal Improvement," and so on. Fifty years ago, all our rivers, and many of our creeks, and some of our sloughs, were navigable—declared so by act of the general assembly. The Pecatonica was one of them. Some of the particular and critical old fellows have always been declaring that notwithstanding the law, these streams are not navigable in point of fact. But they have perhaps discovered that where a fact sets itself up against legislative enactment, accompanied by an appropriation, it is generally so much the worse for the fact. Under the law, these waterways had all the incidents of navigable streams except sufficiency of water. If a citizen wanted to dam one of them, for a grist or sawmill, he was obliged to get legislative permission, through a public law, which usually fixed the height, and contained other specifications, to the end that the pasage of boats, rafts and other water craft might not be impeded.

The old timer came around again three years ago, after some considerable absence. It had a royal reception. It was warmly greeted by statesmen, politicians, public officials, and even by the people themselves. It was granted the munificent gift of $20,000,000 four per cent bonds, and that by a "referendum" vote. The

bonds have not yet been issued, but the project is still with us. Quite a large number of our people seem to wish now that the principles of the "recall" might be applied to this princely donation. That is a matter for future consideration and action, in which it may be wisdom to recall the history and experience of years long since gone by.

It would unduly tax your time and patience to speak of other old matters that are continually coming up as new measures for consideration. Far be it from me to condemn any of them. I content myself with merely reminding you of their presence heretofore, and their very certain appearance in the future.

It will be wise, when the proper time comes, to give them all a second good look to ascertain whether they have not been here before, and also whether or not, when here, they "made good." We are now, as we always have been, confronted with

NEW CONDITIONS

The population of the United States, especially in the large cities, is rapidly and alarmingly increasing. The emigration to our country the past year has been exceeded only by one in its previous history. There are more mouths to be fed; more children to be schooled; more unfortunate and destitute wards of the state to be cared for at public expense. Taxation must be largely increased in the coming years; the expenses of government will be constantly growing greater. Paternal government, that regulates methods of business, as well as the conduct of citizens, will be extended to broader limits.

Old ways and conditions have largely passed away. The days of barter and exchange have nearly gone with the passing years. We are today almost selling the en-

tire products of our labor into the great American market and buying from that market, the products of other people's labors. Labor is a remarkable commodity. We are pretty nearly living from hand to mouth in all our cities and villages. The stoppage of freight trains, for less than a month, would cause suffering for want of food, even in the agricultural districts of the state. Our exports of meats and breadstuffs are falling off. It is predicted by many who are up in statistics, that within much less than twenty-five years, the United States will be importing food products to feed our own people.

Meantime the relations between capital and labor are becoming graver and more delicate. The army of wage workers and salaried employes is very largely on the increase. The confidence of the people in the integrity and honesty of public officials has been greatly weakened of late. There is complaint of the non-enforcement of law. There comes a considerable call that wrongs should be righted, and evils should be removed, by the enactment of laws; and to these not unreasonable demands some attention ought to be paid. The important question is:

WHAT IS TO BE DONE?

Labor must be kept employed, not only for its own, but for the public good. It must be so adequately paid that families not only will have the comforts of life, but will not be entirely shut out of its luxuries. The children must be educated to the end that they may become good citizens of the Republic. Law must be enforced. Good order must prevail. Controversies between classes and citizens must be fairly adjusted and settled by peaceable means, but no compromises should ever be made between the government and the mob, or

the law breaker. We must very largely increase the products of the farm.

More attention must be paid to the character of the men chosen to fill official positions, especially those charged with the making and the administration and execution of laws.

Improvements in our present good methods of agriculture will give us more corn, oats, hay, wheat, beef and pork. Improvement in present methods of party and political action will give us less boodlers, bribers and grafters.

THE MEN OF TODAY

The men of today are charged with the duties before us now. The work of the "venerable men who have come down from a former generation" has been done, and the verdict of history will be that under the conditions and circumstances, it was not unwisely performed. We have no reason to fear that the success which attended the fathers will be absent from the sons. It will require patriotism, ability, honesty, discretion and sound judgment to accomplish the desired results. In the conditions to be met in the unknown future, there will be no lack of "smart" men. The danger will rather consist in having so many that are a little too smart. We shall not be troubled with men and women who know too little—we may be with those, who know a little too much, or think they do. We are likely to discover that the country is suffering more from knowledge than from ignorance. We shall need some constructive, some progressive legislation, but it must be so in fact, and not merely in name. If it should happen, in the outset, to be the repeal instead of the enactment of laws, it will be a hopeful sign, and good promise for the future.

But in whatever is done, the qualities of good sense, common honesty and the disposition to give every man a square deal, must be ever present. These are cardinal virtues that do not grow old, and never die. Any government not administered in accord with them is but a sham. Any law, which has them not for a basis, it not worth the paper upon which it is written.

With the hope that prosperity and peace may ever be the lot of Stephenson county; that good morals and good citizenship may always abound among your people, and that you may have many happy returns of this day, I bid you good bye.

In Memoriam

Hon. Benson Wood

The excellent character and untarnished reputation of Hon. Benson Wood in private life and in public station and the deep sense of loss pervading the community in which he lived may best be told in editorials that appeared in the local newspapers and in resolutions adopted by various organizations of which he was a member.

EFFINGHAM REPUBLICAN

The people of this community heard with a great deal of sadness and keen regret, last Friday, that their fellow townsman, Benson Wood, had passed away at his home, after an illness of about ten days. His death was due to a fall followed by complications, which he could not withstand.

Benson Wood was born in Bridgewater, Susquehanna county, Pennsylvania, March 31st, 1839. He was the youngest son of Peleg and Esther Fox Wood. His father was a native of Susquehanna county, but had descended of old Connecticut stock. His mother came from Connecticut, and was a member of a family noted for their intelligence and religious zeal. Like many of America's great men, Benson's early life was spent on a farm, helping his father till a small but productive farm, in summer, and attending the district school at the old red school house seven months in the year.

Benson Wood was an apt scholar, and made good use of the time devoted to school work. At the early age of fifteen, he had mastered all the branches taught in the country school, and we find him teaching school near the old home. His reputation as a teacher was such that his

services were sought by school directors at an advanced salary. But there was that quality in the mind of Benson Wood, that like the cork that if sunk to the bottom of the water struggles to rise to the top, so Benson was not content with the life of a country school master, and with a limited capital which he had acquired, Mr. Wood enrolled himself as a student of that renowned co-educational school, Wyoming Seminary, at Kingston, Pa. Mr. Wood was a self-made man. While attaining his education he rented rooms, and, with his brother Virgil, boarded himself, doing his own cooking. Virgil, who was about three years older, was from early boyhood, of feeble health, and was thus early a care to Benson. After finishing the course of study at Wyoming Seminary, he took Horace Greeley's advice and went west to Franklin Grove, Illinois, where he became principal of the Franklin Grove Academy. He soon placed that educational institution on a high plane.

But the tocsin of war was sounded, and the call found a ready response in the person of Benson Wood. He was instrumental in raising Co. "C", 34th Ill. Reg. Vols. He was elected first lieutenant of the company, and marched away to the front. His command was attached to the army under command of Gen. Thomas, familiarly known as "Pap" Thomas. In April, 1862, he was elected Captain of the company, and continued in that position until he resigned his commission in February, 1863. During all of his army life he was never known to shirk; he was at the battle of Shiloh, made that forced march of twenty-four miles to the relief of Grant, which turned the defeat of the day before into victory. At that battle he was acting as adjutant of the regiment, and had a horse shot under him. But the hardships of army life had shattered his health; he tendered his resignation, which

was accepted, and he returned to Illinois. In the summer of 1863 he entered the Chicago Law School, from which he was graduated in June, 1864. After prospecting for a few weeks, young Wood came to Effingham, and in partnership with another Susquehanna county man, hung out the sign of "Wood & Avery, Attorneys". In a few months the business of the firm looked so prosperous in the growing small town of Effingham, that Mr. Wood thought he could see his way clear toward making for himself a home, and in December, 1864, he returned to Pennsylvania, and on the 21st day of December, 1864, he was united in matrimony to Miss Jennie A. Jewett, who had been his boyhood idol, and who had graduated from Wyoming Seminary. Early in January, 1865, Mr. and Mrs. Benson Wood arrived in Effingham, and took rooms at the old Fleming house. In the fall of 1865, Mrs. Wood's father visited them, and seeing the needs of the young lawyer, purchased lot 29, of Gillenwater's Addition to the city of Effingham, at the corner of Third St. and National Road, and presented the young couple with the money to build a home, and in that house Mr. and Mrs. Wood have since resided. God blessed the home life with two children, only to take them away in infancy. The home of Mr. and Mrs. Benson Wood has been one of the many pleasant homes of this city, and whenever the duties of business would allow, Mr. Wood would enjoy himself in his home as nowhere else.

Mr. Wood formed a partnership with W. H. Avery, and they began the practice of law in Effingham, in June, 1864, under the firm name of Wood & Avery, which continued until when Mr. Avery retired and moved to Los Angeles. From 1866 to 1868 it was "Benson Wood." At the end of this time he formed a partnership with Capt. W. H. Barlow, under the firm name of "Wood & Barlow,"

which continued until 1875. From 1875 to 1904 it was "Wood Bros.," Mr. Virgil Wood, lately deceased, having been the other member. In 1904 the firm name became "Wood Bros. & Rickelman," Mr. Harry J. Rickelman, who had been a student of the old firm since September, 1899, having been associated with the two brothers. The firm of Wood Bros. & Rickelman continued until February 4th, 1915, the date of Mr. Virgil Wood's death, since which time it has been "Wood & Rickelman." Ever since 1864 and until the time of his death, Mr. Wood has been in active practice in the local courts, and in the courts of most of the counties in this section of the state, numbering among his clients most of the banks, and all of the railroads in this, Effingham county. With the exception of his last partner, all have preceded him to the grave.

In 1899-1900 he was president of the Illinois State Bar Association, succeeding the renowned Harvey B. Hurd and at the time of his death was a member of the Committee on Law Reform.

In public life Mr. Benson Wood was a valuable servant, always placing the interest of the public above his own. In 1872 he was elected to the State Legislature from the 33rd Senatorial District; in 1881 he was elected Mayor of the city of Effingham, and served two years. He was always an active and pronounced Republican. When Governor Cullom was elected, Mr. Wood was appointed to serve on his staff, as Judge Advocate, with the rank of Colonel. Governor Oglesby appointed Mr. Wood one of the trustees of the Soldiers' Orphans Home at Normal, and he served at the request of succeeding governors for fifteen years and until the office was abolished. He was at one time Trustee for the Home of the Feeble Minded at Lincoln, Illinois. He was elected in 1894 as

a member of the 54th Congress. In 1897 he resumed his practice of law in Effingham, having made the remarkable record in Congress of never having missed a roll call during his term. He was retired to private life, not on account of lack of ability, but by reason of the district having been overwhelmingly Democratic.

In the councils of the Grand Army of the Republic, Mr. Wood has always been a valuable member. He was elected Department Commander of the State of Illinois, and served with such satisfaction that on his retirement he was presented with a valuable diamond badge. For many years he has been commander of Yates Post No. 88, G. A. R., of Effingham. For many years he attended the National encampment of the G. A. R. and made arrangements to attend the coming National Encampment, to be held in Washington, D. C., September 26th to 28th, when the summons came to go to that Great Encampment of many brave men, who fought in the Civil War, but have fallen by the sickle of time.

In September, 1881, he associated himself with Dr. Henry Eversman, G. H. Engbring and his brother Virgil Wood, establishing the copartnership banking business of Eversman, Wood & Engbring, all of whom have gone before him. In March, 1903, he was instrumental in having the co-partnership incorporated into "The Effingham State Bank," of which institution for eleven years he was president, and at the time of his death was its Chairman of the Board of Directors. During the entire time, since the establishment of the bank in 1881, Mr. Wood has been a counsellor and legal adviser of the bank, and much of the present high and solid financial standing of the bank is due to the wise counsel and forethought of Benson Wood.

We lament that he has gone out from among us to return no more. Fifty-one years made many changes, and

the Effingham of today is not the same as the Effingham of 1864, when Mr. Wood first came to this section of the State. Through all the changes Mr. Wood has been an interested and important factor. December 21st, 1914, Mr. and Mrs. Benson Wood celebrated their fiftieth or golden anniversary. Many friends called to congratulate the couple, and wish them many years of happiness, but in a few short months the home was broken into by death. The tree lies where it falls and crumbles back into mother dust, but not so with our neighbor and friend, Benson Wood; his influence and his works will live long after the mortal remains have rested in Oakridge Cemetery, beside the remains of his two infant children, already crumbled into dust. Many successful men of the future will look back to Mr. Wood, and will be unconsciously guided into high achievement by reason of their close personal contact with him. If Benson Wood had been a man who was prompted by selfish motives, high honors would have been his, but he chose rather to help others than to gather honors for himself. Time and space fail to give a full measure of the good qualities he possessed.

BENSON WOOD DEAD

Democrat

Benson Wood, whose critical illness we have noted from time to time the past week, died at his residence in this city Friday morning at eleven o'clock. It has been for several days that his death was only a question of a few days, but, notwithstanding this fact the announcement carried with it a sincere sorrow to all of our citizens. For fifty-one years Benson Wood has been a leading citizen of our city and county. He came here as a young lawyer in 1864 and became noted in a short time for his ability as a lawyer, and for the past forty years at least has stood at the head of the bar not only in Effingham

county, but in this section of the state. He was one of the really good lawyers in Illinois. He was small enough to master the details and big enough to grasp fundamentals, and when those two features of strength are united in one character that man is an able lawyer. He enjoyed a state-wide reputation as a lawyer, banker and business man. He was really competent to fill much larger positions than he filled and the fact that he did not fill them is attributed entirely to the fact that he was not eaten up by personal ambition. What we have said is appreciated and has been acknowledged by men of state-wide reputation. We have met them and conversed with them and we consequently know of the truthfulness of the statement. In this respect the deceased honored Effingham. In 1872 he served in the state legislature and at that time this characteristic ability made itself felt. In 1894 he was elected to congress and in this wider form he left an impress that was more than state-wide in its influence. This same appreciation of his ability elected him as Grand Commander of the state G. A. R. and in this capacity he again demonstrated the possession of this inherent strength of mind and character. He was often mentioned for governor, and he would have made a much better governor than all those which the party chose while he was mentioned. Effingham has consequently lost a distinguished citizen and it mourns its loss.

The sympathy of all of our citizens is with his devoted wife.

LAST SAD RITES

The prince who kept the world in awe,
The judge whose dictate fixed the law;
The rich the poor the great the small
Are leveled; death confounds 'em all.—Gay's Fables.

Monday afternoon Effingham, Effingham county and

this section of Illinois evidenced its appreciation of the life work of Benson Wood by gathering in unaccustomed numbers to pay the last tribute to his memory. Flowers reverence, tears, song and eulogy combined to deepen the tribute. From our homes, from the county and from surrounding counties life-long friends of the deceased came to attest their esteem. The Wood home, the lawn and the flanking streets were crowded with a throng that was representative of the best fibre of the agricultural, professional and business life of Illinois, which felt that a really great man had fallen. His professional ability, his purity of life, devotion to his community and the nation had left its imprint on a host of friends and when he was called upon to account for the use of his talents these friends came to testify by their presence to the profitable use to which he had placed them. The aggregate, the common human judgment was that the talents had been most worthily employed. In this estimate there was the combined judgment of judges, lawyers, bankers, men of affairs, ministers and toilers. The state bar association, the bar associations of surrounding counties and the state encampment of the G. A. R. sent representatives to certify, to bear witness to this unanimous verdict: It was a good opinion, of esteem that a "king might wish to hold in fee."

The funeral service in its entirety was in harmony with the lofty spirit of the solemn occasion. Every ear hung upon the words of eulogy, every heart beat responsive to the voice of song. Rev. Theodore Cates, of the Methodist church presided. The choir composed of Messrs. Austin and Schooley, Misses Reichhelm and Baker, began the service with "Rock of Ages" after which Rev. Ferris offered prayer. Rev. Sumard, of Vandalia, read the 90th Psalm. The choir then rendered "Abide

With Me'' after which Rev. Gordon spoke feelingly of the deceased in behalf of the local post, G. A. R. Mesdames Wright and Bissell followed with a duet, ''The Quiet Grave,'' a favorite of the deceased. Rev. Cates next read the formal obituary given below, and the choir then gave the closing hymn, ''Come Ye Disconsolate,'' after which Rev. Cates delivered the funeral sermon from the text, ''Know ye not that there is a prince and a great man fallen this day in Israel?'' The princely character and personal greatness of the deceased was eloquently and truthfully portrayed. King David's lament over the stricken Abner was ably brought out and applied to the grief of this community over the loss of its princely citizen and brother. The text was apt, its application appropriate, its elaboration powerful. Few funeral sermons rise as this one did to all of the possibilities of the occasion. The eloquent and finely phrased sentences poised and laden with a rich spirituality carried a message to listening ears which nothing but the mystery of death could satisfactorily interpret.

The exercises closed, the people then viewed the remains, after which the procession to the cemetery was taken up. Yates Post G. A. R. and the Woman's Relief Corps attended in a body and escorted the remains to the cemetery. At the grave the G. A. R. service was given by Past State Commander, J. B. Inman, of Springfield. The attendance at the cemetery was nearly as great as the attendance on the services at the residence. Many of those from out of town accompanied the remains to the last resting place.

The State Bar Association appointed honorary pall bearers, as follows: Hon. William F. Bundy, First Vice President Illinois State Bar Association, Centralia, Illinois; Hon. James H. Matheny, Former President Illinois

State Bar Association, Springfield, Illinois; Hon. William B. Wright, Effingham; Albert M. Rose, Esq. Louisville, Illinois; R. C. Harrah, Esq., Effingham; John J. Brown, Esq., Vandalia, Illinois; W. S. Holmes, Esq., Effingham; George B. Rhoades, First National Bank Building, Shelbyville, Illinois; Harry J. Rickelman, Esq., Effingham; G. F. Taylor Esq., Effingham, Illinois.

The active pall bearers were; J. A. Flack, B. F. Bradley, J. W. Taylor, Dr. W. B. Dennis, J. L. Bachman and L. T. Davis.

The floral offerings were numerous and elaborate, the room in which the remains lay in state having been completely banked with them. A fine floral offering was received from B. B. Minor and family, of Indianapolis, and Graham & Graham, attorneys, of Springfield, Illinois. The other floral offerings were from the home people, societies and organizations.

OBITUARY

Benson Wood was born in Bridgewater, Susquehanna county, Pennsylvania, March 31st, 1839. His early years were spent on his father's farm, and attending school in the little red school house, about a mile from home, about seven months each year. When he was fifteen years of age he had mastered all the branches taught in the country school, and at that early age began to teach in the districts near his home. His success was such that his services were sought after at an advanced salary. He entered Wyoming Seminary, a noted co-educational institution, and took a full course of instruction. In 1859 Mr. Wood came alone to Illinois, the State which was destined in the future to become the scene of his life's work.

He engaged as principal of Franklin Grove Academy, where he labored successfully, until the call for three hundred thousand more troops came, and then with his

characteristic earnestness he interested himself to raise a company, and succeeded in forming Company "C" 34th Reg. Ill. Vols., of which company he was elected first lieutenant. The company was sent to the front, and was attached to the army of the Cumberland. Mr. Wood saw much active service, and at the battle of Shiloh he had a horse shot from under him, while he was acting adjutant of the regiment. In July, 1862, he was elected captain of the company, but his health having failed him, he resigned his commission and returned to Illinois.

In August, 1863, he entered the Chicago Law School, and graduated from there in 1864. In June 1864, he located in Effingham, then a small town that had lately been made the county seat of Effingham county. December 21st, 1864, Mr. Wood married Miss Jennie A. Jewett, of Brooklyn, Penn., and brought her to Effingham in January, 1865. For a short time they resided at the old Fleming House, but the next year Mr. Wood bought the present house, at the corner of Third Street and National Road, where he has since resided.

Mr. Wood formed a parntership with W. H. Avery, and they began the practice of law in Effingham, in June, 1864, under the firm name of "Wood & Avery," which continued until 1866, when Mr. Avery retired and moved to Los Angeles. From 1866 to 1868 it was "Benson Wood." At the end of this time Mr. Wood formed a partnership with Capt. W. H. Barlow, under the firm name of "Wood & Barlow" which continued until 1875. From 1875 to 1904 was "Wood Bros.," Mr. Virgil Wood, lately deceased, having been the other member. In 1904 the firm name became "Wood Bros. & Rickelman," Mr. Harry J. Rickelman, who had been a student of the old firm since September, 1899, having been associated with the two brothers. The firm of Wood Bros & Rickelman

continued until February 4th, 1915, the date of Mr. Virgil Wood's death, since which time it has been "Wood & Rickelman". Ever since 1864 and until the time of his death, Mr. Wood has been in active practice in the local courts, and in the courts of most of the counties in this section of the State, numbering among his clients most of the banks, and all of the railroads in this, Effingham county. With the exception of his last partner, all others have preceded him to the grave.

In 1899-1900 he was president of the Illinois State Bar Association, succeeding the renowned Harvey B. Hurd, and at the time of his death was a member of the Committee on Law Reform.

Often when a minister is called to officiate he is at a loss to find words that will convey with truth a statement of the good qualities of the deceased. Not so today. Mr. Wood's life for the past fifty years has been like an open book to the residents of this city; he has been honored by being elected to the legislature, mayor of this city, and as member of congress, and many other positions of honor have come to him unsought, and in every position of honor he has shown himself faithful.

In 1861 he, in connection with Dr. Henry Eversman, G. H. Engbring and his brother, Virgil Wood, he founded the private bank of Eversman, Wood & Engbring, which continued until 1903 when the parties obtained a charter, and formed the present Effingham State Bank. For eleven years, Mr. Wood was president of the State Bank, and then retired, but was Chairman of the Board of Directors at the time of his death.

Mr. Wood has served as Department Commander of the state G. A. R., and president of the State Bar Association. Was Judge Advocate, with rank of Colonel, on

Governor Cullom's staff; for fifteen years he was Trustee of the Soldiers' Orphans Home at Normal.

In the death of Mr. Wood, Yates Post No. 88, G. A. R. has lost an able commander, and the city of Effingham one of her most honored citizens. Mr. Wood died at 11 a. m., August 27th, after a brief illness. He is survived by his wife, who nearly fifty-one years, has shared sunlight and shadows of life with him. Their union was blessed with two children who died in early infancy.

FOREIGN ATTORNEYS PRESENT

Judges—W. M. Farmer, Vandalia; J. W. Craig, Mattoon; A. M. Rose, Louisville; Walter Brewer, Toledo; B. W. Henry, Vandalia; E. Callahan, Robinson.

Captain Taylor of Taylorville.

Vandalia—J. J. Brown, J. A. Bingham, J. G. Burnside, J. H. Webb, F. M. Guinn.

Shelbyville—T. E. Eames, G. D. Chaffee, W. C. Hadden.

Centralia—John J. Bundy, Wm. F. Bundy.

Toledo—Levi Brewer, C. M. Connors.

Newton—Geo. Fithian, Judge Kasserman.

John McDonald, Greenup; Ralph Wilkin, Robinson; Henry C. Vail, Nebraska; Harry C. Miller, Nokomis; Judson Miller, Sullivan.

RESOLUTIONS

At a meeting of the Effingham County Bar at the court house Monday at eleven o'clock a. m., the following resolutions were adopted:

Memorial Resolutions by the Effingham County Bar on the Death of Benson Wood:

When a good and useful man dies in a community in which he has continuously resided for more than half a century, faithfully performing the duties of good citi-

zenship in all the business and social relations of life as they have come to him; and has acceptably filled many places of public trust to which he has been called; first mayor of the city; Grand Commander of the G. A. R. of the State of Illinois, and more than once a representative of the G. A. R. of the State to its national associations; a Representative in the State Legislature, and to the still wider field of distinction and usefulness as a member of Congress from this district and was also during all these years practicing law in this county in which he rose to great distinction throughout the State, ranking among such famous lawyers as Judge Scholfield, Thornton, Moulton, Gen. Palmer and others, and of whom Mr. G. M. LeCrone, editor of the Effingham Evening Record, well said, "Mr. Wood was one of the really good lawyers of Illinois. He was small enough to master the details, and big enough to grasp fundamentals, and when these two features of strength are united in one character, that man is an able lawyer." When such a man passes to "The Great Beyond," it is eminently fitting that the entire community should pause to pay a tribute of respect to his memory; and the members of his profession and co-laborers at the Bar should place on the records of the court in which he so long practiced some suitable memorial of their application of his virtue, and of the personal regards in which they held him as a man and a lawyer.

Therefore it is resolved by the Effingham County Bar that in the death of Benson Wood, who was a practitioner in this court for more than fifty years and the oldest member thereof, that we recognize the fact that our Bar has lost a valued member and an able and upright lawyer, and one whose memory deserves to be cherished by us as long as life shall continue and one whose

character and example in our profession have served, not only as an encouragment, but also as an inspiration.

Resolved further that we tender to his widow, whose devotion during all these years of their married life contributed much to his success and usefulness, our deepest sympathy in this hour of her bitter grief.

Be it further resolved that we attend the funeral in a body and that this tribute to the memory of Benson Wood be published in the County papers, and a copy thereof be presented to his widow, and also be presented at the next succeeding term of our Circuit Court, and that the judge presiding therein be asked to enter a motion on the first day of the said term, asking that an order be entered fixing the time during said term on which these resolutions shall be ordered by the court to be considered, and that a final order shall be made that they be spread in full on the records of said court as a memorial to the memory of Benson Wood.

S. F. Gilmore, W. S. Holmes and Wm. B. Wright, Committee of Effingham County Bar.

The members of the Coles County Bar in meeting, August 28, A. D. 1915, passed the following resolutions:

Whereas, one more link of the chain that binds us to the great men in Central Illinois, members of our profession, among them, Lincoln, Scholfield, Linder and Ficklin, has been broken in the death of Benson Wood, who was a learned lawyer; as attorney true to court and client; as opposing counsel in a legal battle, fair:

RESOLVED that whereas we sympathize and join in the sorrow of the Effingham County Bar, that a copy of these resolutions be furnished them.

JOHN McNUTT, Chairman
FORD, Secretary.

IN MEMORY OF HON. BENSON WOOD

RESOLUTIONS OF RESPECT

WHEREAS, death has removed from our midst, and society of the Grand Army of the Republic, our late Brother, comrade and commander, the Hon. Benson Wood, therefore be it

RESOLVED, That Yates Post, Grand Army of the Republic, No. 88, Illinois, hereby expresses its profound grief over our great loss, which we deeply feel, and collectively state our love and affection for him who has honored us with his presence, his direction and advice.

We further extend our deepest sympathy to his devoted wife and recommend that this resolution be spread on our record and that a copy of these resolutions be given to our city paper for publication and to Mrs. Wood.

I. F. MORRISON
W. B. DENNIS
L. T. DAVIS

JOE L. BACHMAN, Adjt. Yates Post No. 88.

STATE BAR ADOPTS RESOLUTIONS

At the meeting of the State Bar Association held last month in Chicago, the following resolutions were adopted:

WHEREAS, in the death of Hon. Benson Wood, of Effingham, Illinois, an honorary member and former president of the Illinois State Bar Association, this association has lost one of its most valued workers and distinguished members: Therefore,

BE IT RESOLVED that this association records his death with sincere sorrow in its loss, deep reverence for his memory and tender sympathy for his bereaved family; and, further that a copy of this resolution be sent to his widow and the public press.

NATHAN WILLIAM MacCHESNEY, Pres.
JOHN F. VOIGHT, Secretary.

Mr. Wood had served as President of the Association in 1906, filling the unexpired term of Prof. Hurd. He was re-elected in 1907, and was the only man who served two terms as President of the Association.

RESOLUTIONS OF RESPECT, HEADQUARTERS LINCOLN POST

The following section was taken at a regular meeting of this post held September 1st, 1915.

WHEREAS: an allwise Providence has seen fit to remove from our ranks Comrade Benson Wood, of Effingham, Illinois,Grand Army of the Republic, and

WHEREAS: Comrade Wood has been a valued and faithful friend of Lincoln Post, No. 91, for many years, it seems fitting at this time we should pay a tribute of respect to his memory as our friend and comrade.

In the life of Comrade Wood we find the highest type of American citizenship. A man of unblemished character, occupying many positions of trust in state and national affairs in which he proved himself to be equal to all obligations he assumed and to discharge them faithfully, honestly and with commendable ability.

In the Grand Army of the Republic he was a leading figure for many years, and was elected Department Commander in 1903 and was the prospective next national candidate from the State of Illinois for National Commander.

No comrade in the State had more friends or was more highly esteemed. Soldier, statesman, citizen, his record is without a blemish therefore, let it be

RESOLVED that in the passing of Comrade Wood, the Department of Illinois, and we, his comrades of the Grand Army of the Republic, have sustained an irreparable loss.

To his family we tender our deepest sympathy.

RESOLVED that this resolution be spread upon the records of the post and a copy of it be forwarded to his family.

WM. P. WRIGHT, Adjt.

GEO. H. THOMAS MEMORIAL ASSOCIATION

Chicago, May 5, 1916

My Dear Mrs. Wood:

I have the honor to enclose a copy of a resolution adopted at a meeting of George H. Thomas Memorial Association.

On motion of Mr. Charles H. Taylor, duly seconded, the following memorial was then unanimously adopted:

A MEMORIAL TO BENSON WOOD

We have learned with grief that our dear comrade and fellow-member of this Memorial Association, Benson Wood, has been called by death from a life full of good deeds and of honors. We cannot permit this meeting to pass without placing upon the records of the George H. Thomas Memorial Association a tribute of our love for one whose interest in its objects was an inspiration to all of us, whose counsel, as well as his personal friendship, we shall ever hold in the highest regard.

To his widow we desire to express our sympathy; and we extend to her such consolation as there may be in the knowledge that he who was to her the dearest one on earth occupied the highest place in the respect and affectionate regard of his fellow-soldiers of the Republic.

RESOLVED, That this memorial be spread upon the records of this Association, and a copy sent to the widow of our deceased comrade and friend.

Unanimously adopted at a meeting of George H. Thomas Memorial Association, May 2, 1916.

CHARLES H. TAYLOR, Secretary.

PRESENTED WITH BENSON WOOD'S PICTURE

The following is the presentation speech of Mrs. Hoagland:

"Friends, and especially Members of the Grand Army Post:

"I have been requested by the President of the Relief Corps, Mrs. Wood to meet with you this afternoon and in her name as well as the members of the Corps to express our sincere thanks for the many kindnesses and attentions you have shown her during her trying ordeal. You all know how dear to Mr. Wood's heart, yes, almost sacred, everything pertaining to the welfare of the Post was. How he rejoiced over any triumphs of the Grand Army and was equally depressed at any defeat. I am told that when he was elected Commander he said it gave him more pleasure than when he was sent to congress. I will not eulogize the name and character of Mr. Wood; as well might I try to paint the lily, especially to you, the members of Yates Post, who knew him as a brother. All that can be said has been said. A good man has lived in our midst, until he fairly belonged to us. And a good man has gone to his reward. Mrs. Wood, thinking the Post might like to possess a portrait of Mr. Wood has had this one made, and asked me to present it to you in the name of herself and the Corps. We are happy that the artist was enabled to catch so remarkable a likeness of the shadow before the substance faded. When we look upon this noble, serene face, let us not think of Mr. Wood as dead. He is not dead. He is just away. I want to tell you of a cherished hope I have. It is that our Mr Wood's name and memory may in the very near future be perpetuated in a substantial and lasting manner, by having a building erected upon one of our public thoroughfares, dedicated to the use of the Grand Army, the Relief Corps and a

public library to be known as the "Benson Wood Memorial." We shall not forget him and possibly the coming generation will recall him. But we need something which will attract attention of those who come after us and cause them to inquire who the man was for whom the memorial stands. The little circle of Grand Army men is rapidly narrowing. Soon taps will have been sounded for the last one of you. Then when the sense dream of life is ended, and time for us all shall be no more, we hope to find ourselves face to face with our loved ones. Until then let us take courage. Be thankful for the present blessings, among them the privilege of looking upon the picture face of your late beloved commander.

UPSTAIRS

Passed on, beyond our mortal vision,
All heedless of our falling tears,
Unconscious of our desolation,
Un-noting all our lonely years;
And while in silent grief we lingered,
Came a tender voice, unheard before;
"Weep not, the one whose loss you sorrow
Has gone upstairs and shut the door."

Passed on, beyond our mortal vision
But now the thought is robbed of gloom,
Within the father's many mansions,
Still dwelling in another room,
The one whose going left us lonely,
Is scaling heights undreamed of yore
And guided on, by loves unfolding,
Has gone upstairs and shut the door.

Let us rise leisurely the stairs once trod
Reveals the mountain peaks of God.
And from its upper-room the soul.
Sees ALL in one united whole.

IN MEMORY OF HON. BENSON WOOD

BENSON WOOD

In the death of Benson Wood, Effingham county loses one of her foremost citizens. A soldier, statesman and patriot is dead. Early in life he served through the civil war with honors, and never, during his entire career, did he fail to remember that he was a soldier. His greatest delight was taken in affairs connected with the civil war veterans' interest. He was honored by being elected Commander of the State Veterans, and was known throughout the nation to the organization.

In politics he was a representative republican, having been honored by that party on several different occasions, and for many years their leader in this county. His politics was never so intense as to preclude a judicial view of the rights of any question.

As a lawyer, he was one of the best in Southern Illinois. For half a century he practiced in this community, and builded a clientele that was second to none. The youth and widow went to Mr. Wood with a childish confidence that all would be well, and their confidence was never misplaced. His entire career from early manhood to his death, was marked by an unselfish patriotism that was a lesson to all young men. Benson Wood was a good man who lived a good life, but above all else, he was a true soldier and died like a true soldier.—Effingham County Review.

EFFINGHAM DEMOCRAT

Tuesday evening before the adjournment hour of the circuit court Judge Jett brushed aside all court business to trasform the session into a memorial session for the late Benson Wood, who for fifty years was a practitioner before the court. Judge Jett presided and the entire membership of the county bar was present, together with

Attorney Norman H. Moss of Mt. Vernon. Resolutions expressing the sentiments of the bar respecting the deceased, were presented by Attorney W. S. Holmes and were adopted. H. S. Parker also read the resolutions passed by the Coles county bar and moved their adoption, which, of course, unanimously prevailed. Both resolutions were instructed by Judge Jett to be spread at large upon the records of the court. Speaking of the resolutions Attorneys W. S. Holmes, Harry S. Parker, Rufus C. Harrah, Jacob Zimmerman, Paul Taylor and D. L. Wright all of Effingham, and Norman H. Moss of Mt. Vernon, paid feeling tributes to the memory of the deceased lawyer. All of the attorneys indulged in personal recollections of Mr. Wood and in their tributes indulged in some interesting incidents and memories. All of them agreed that he was a great lawyer. In addition to his legal qualifications all of the speakers appreciated the fact that he united with them high business qualifications. He was a successful lawyer and, in the sense in which success is commonly interpreted in business affairs he was a careful, methodic, successful business man. He was exceedingly companionable in a group of lawyers and a great story teller. There was one noticeable feature, too, about all of his stories—they were clean and always embraced a clean strain of humor. This feature of his social life greatly helped to endear him to his companions. All of these things came out in the tributes that were paid to the man. Besides the attorneys there was quite an audience of court attendants who listened to the speeches with high appreciation and deep interest.

ILLINOIS STATE HISTORICAL LIBRARY
OLD STATE CAPITOL
SPRINGFIELD, ILLINOIS 62706